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ANNUAL REPORT

OF THE

ADMINISTRATION OF THE BOMBAY PRESIDENCY,

FOR THE YEAR 1862-63.

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JUDICIAL.

Legislative.

In a history of Administration, the work of legislation naturally claims first attention, but it has been thought advisable in the present case to notice particular enactments and projects of law as the subjects come under review to which they generally have reference. The titles of Acts passed by the Governments of India and Bombay during the year under report are exhibited in Appendices A and B. Appendix C shows the projects of law that were under consideration by the Council of Bombay during the same period. They were twenty-seven in number. Of them, fourteen were passed, two practically adopted, three disallowed by the Viceroy in Council, and one withdrawn. The remainder were, at the termination of the year, still under consideration either at Bombay or Calcutta.

2. Of remaining subjects precedence may be given to the Administration of Justice. This in the Presidency proper is naturally distinct from the judicial administration in the minor dependent states or political districts, and even from that of a province like Sind.

3. The materials, however, at hand are not so favourable to the observation of this distinction in the composition of a general report. For the judicial administration of the zillahs of the Presidency proper for 1862-63, the annual administration reports from some of the Judges and Session Judges of the various judicial districts have not been received. Those that have been received are unfurnished with tables either uniform or complete. The Judicial Department of the Secretariat have provided what are styled the Annual Civil Returns of the Judicial Administration of the Presidency, and also a concise memorandum, which is accompanied with the tables called for by the Government of India in reference to this subject, and which selects for special exhibition some of the notable features in the judicial statistics of this Presidency; but the figures hence obtainable to some extent confound the statistics from more or fewer of the political or semi-political agencies with those of the judicial districts. They, moreover, relate exclusively to the calendar year 1862, while the reports and statistics furnished by the Judges and Session Judges are, most of them, concerning the official year 1862-63.

4. The Judges, Session Judges, and Assistant Judges, if all are counted that acted as such in any part of the year, were, in 1862, 24 in number.

Legislative.

One native gentleman (Mr. Gopal Hurry) also acted during part of the year as Assistant Judge and Session Judge. These officers disposed of 983 criminal cases, 150 original suits, and 3379 appeals. The official statement showing what European officers presided over the Civil and Criminal Courts of this Presidency during the year 1862, and what was the proportion of business done by each, holds thirty-seven names. Among these names appear those of Magistrates and Principal Sudder Ameens and Deputy Collectors, whose judicial functions in the view of this return seem to have been limited to the issue of orders on judicial business. Of such orders 31,671 in all were made within the calendar year.

CIVIL JUSTICE.

Civil Justice.

5. Taking all the Courts, Civil Agency, and Revenue, the number of suits that were on the file awaiting adjudication for any part of the year 1862 was 240,805, of which 44,474 remained undisposed of at the end of the year. Jagheerdar and Revenue Courts and Punchayets being excluded, it appears that out of 137,262 regularly appealable cases on the files of the Courts of Civil Judicature for any part of the year, 4566 were appealed, while of 2838 specially appealable cases 443 were appealed. At the close of the year 3515 appeals of both sorts were depending.

6. The relative efficiency of the different grades of courts may be to some extent gathered from the table of Aggregate Appellate Jurisdiction. In the Moonsiff Courts out of 114,957 decided and appealable cases, 3544 were appealed, making, with arrears from the year before, a total of 4907 appeals entertained from the Moonsiff Courts during the year. 2649 of these appeals were disposed of; in 1238 cases the issue being a remand, a modification of the original decision, or a total reversal. In the case of Sudder Ameens, out of 14,239 appealable cases 506 were appealed. The whole number of appeals for any time on the files during the year was 706. Of these 319 were disposed of, 132 decisions having been remanded, reversed, or modified. From 7958 appealable decisions of Principal Sudder Ameens, 496 appeals were made to the upper courts during the year. Appeals in all entertained from Principal Sudder Ameens for any part of the year number 710. The result was 65 reversals, 38 remands, and 47 modifications, 330 being left over undisposed of at the close of the year. Of superior courts, including the Sudder Dewanee Adawlut, from 2916 appealable decisions 463 appeals were made, and out of 1012 appeals on the file, 127 ended in a remand, 62 in a reversal, and 25 in modifications.

7. The following table will exhibit the substance of the above in another form:—

Designation of Jurisdiction.	Proportion of Appealable Cases Appealed.	Proportion of Appeals disposed of that were affirmed.*
Moonsiff.....	·030	·533
Sudder Ameen	·035	·586
Principal Sudder Ameen	·062	·610
Additional, Subordinate, and Assistant Judge	·122	·595
District and City Judge	·125	·557

8. Taking the different grades of civil courts separately, it appears that in the lowest grade (the Moonsiff Courts) 201,496 cases were on the files for more or less of the year, of which 166,807 were disposed of. The Sudder Ameens disposed of 20,955 out of a total of 24,926; 181,117 of the total being suits instituted in the preceding year. The Principal Sudder Ameens presiding in the court of appeal disposed of 11,902 original cases, and four cases of appeals out of a total of 16,696. The court lately called the Sudder Dewanee Adawlut, now the appellate side of Her Majesty's High Court of Judicature, disposed of 7 regular cases and 501 special. Taking all these courts together, the number of suits left depending by them on the close of the year was 47,053. The average duration of suits in all but the highest court ranged between five and seven months. In the late Sudder Dewanee Adawlut, the present High Court, the average duration was one year and eighteen days; but in reference to the calculation of these averages, the following quotation may be made from a letter (252 of 1863) written by the Judge of the Concan District, and accompanying the returns from his court. Mr. Justice Tucker states that the statement in the returns which professes to be a return of the average duration of suits "gives no correct representation of the real state of business in any court. The average is calculated on the whole number of decided cases instead of on the whole number decided and depending, and the consequence is that when old cases have been postponed and recent ones disposed of (which under the present system often happens), a far too favourable picture is given of the efficiency of the Court. I pointed this out nearly ten years ago, but the Judges of the Sudder Adawlut of that time decided that the method of calculation which is now in use was correct." With this may appear what the same Judge in another part of the same letter writes of the subordinate Judges

* This includes those Dismissed in Default and those Adjusted or Withdrawn.

Civil Justice.

in his district—"The desire to reduce the number of cases on the file has evidently led many of these functionaries to postpone the hearing of some of the older suits while devoting their time to the decision of those recently filed."

9. The total value of suits and appeals before all courts was 92,11,512 Rupees.

10. Of original suits in all courts 4043 were connected with land and the rent of land, 3283 with articles of commerce, like indigo, sugar, and silk, and only seventy-two with questions of caste and religion. The rest of the one hundred and ninety odd thousand suits referred to debts, wages, &c.

11. Of the original suits decided on their merits, between one hundred and twenty-four and one hundred and twenty-five thousand were decided in favour of the plaintiffs against between twelve and thirteen thousand in favour of the defendants. The debtors returned as having been in jail were 461 in number. All of them were confined at the instance of private individuals. The sum total of the claims against them was between forty-five and forty-six thousand rupees.

12. A separate set of tables is given of the Agency Courts, which are nominally arranged in four grades. The lowest of these grades (the Punchayet Courts) were not used during the year. The Jagheerdars, who preside in the grade which therefore becomes the lowest, disposed of 1379 out of 1710 cases. Assistant Agents and Agents carry up the scale to the late Sudder Court, which entertained during the year eight appeals from Agency Courts. The aggregate of original jurisdiction in these courts is but small, 1791 being the whole number of original suits on the files during the year for any portion of time. The total value of suits depending in them, either original or appeal, is given at between two hundred and nine and two hundred and ten thousand rupees. Imprisonment for debt does not seem to be a consequence of process in these courts.

13. In the Revenue Courts also Punchayets were unemployed during the year 1862. The lowest courts of first instance are practically those of the Mamlutdars, by whom 2726 out of 3315 cases were disposed of. The jurisdictions of Assistant Collectors and Collectors intervene between those of the Mamlutdars and the High Court. Before the Collectors were during the year, for a greater or less period, 542 cases of appeal. Of these 161 were disposed of; forty-six of this number were decreed for the respondent, and forty-four for the appellant, other twenty-one of the cases disposed of were remanded for a new trial, and thirty-six were dismissed on default. Thirteen appeals are stated to have been "otherwise disposed of." In 1861, 112 appeals disposed &c. are so accounted for; in 1858, 58; in 1860, 54;

and in 1859, 37. The late Sudder Dewanee Adawlut disposed of thirty-three revenue appeals, remanding, reversing, or amending the original decisions in twenty-five instances; but these figures seem to be of unusual magnitude. In 1858, 1859, 1860, the revenue appeals admitted were only in one case 6, in the others 5 in number. In 1861, 29 were admitted, and in 1862 thirteen.

14. To put the facts just mentioned in another view, the following table is added :—

Names of Court.	Proportions of Suits remanded to Appeals disposed of.	Of Suits reversed.	Of Suits dismissed on default.	Of Decisions modified.	Of Affirmations.	Of Arrears undisposed of to Work on the files for any part of the year.
Moonsiff, Regular Civil....	·134	·224	·024	·108	·509	·172
Mamlutdar, Revenue.....	·142	·129	·244	·136	·333	·177
District Judge, Regular Civil.	·267	·135	·004	·039	·548	·399
Collector, Revenue.....	·636	·030	·030	·090	·212	·702

All the appeals from the Collector were special, and in none of the former years which are noticed in the comparative tables sent in has there been more than one case of a remand from the High Court, then the Sudder Dewanee Adawlut, to the Collector's Court. Of the whole number (2708) of original suits decided in the Revenue Courts during the year, 2666 are returned as connected with land-rent. Of those decided on their merits (1693 in number), 1319 were given in favour of the plaintiff, the proportion of decisions in favour of the defendant being much larger than in the case of the regular courts—·283 to less than ·100. The total value of suits depending was Rupees 50,174, of which a little over Rupees 15,000 represent the appeals. The debtors in jail that had been confined in consequence of decisions of the Revenue Courts for portions of the year were 7 in number. Two had been imprisoned at the instance of Government.

15. The comparison of the judicial work of 1862 with that of the years immediately preceding, and of these again with one another, is a subject of separate interest. The last five years, arranged according to the number of original suits that were instituted in each year, stand as below :—

1861.	1859.	1858.	1860.	1862.
312,080	143,932	124,489	91,308	83,150

16. If those suits only are taken which are connected with land and the rent of land, the order is changed—

1862.	1859.	1858.	1860.	1861.
4,043	3,368	3,315	3,015	2,744

Taking those suits only which are connected with caste, religion, &c.—

1858.	1859.	1860.	1862.	1861.
145	126	112	72	47

The main cause which led to the institution of such a number of suits in 1861 was the Act of Limitation, or rather the fact that suits filed in 1861 would not come under that Act, inasmuch as it only became law from the commencement of 1862. The opinions of various officers qualified to judge of such a matter are quoted in another paragraph.

17. The information derived from the Administration Reports of the Judges and Session Judges supplements that due to the returns compiled in the Judicial Department of the Secretariat. The statistics attached to these reports, or rather to those of them that have come to hand, are not susceptible of systematic combination and comparison. Detached facts of interest appear, however, in some of them, and the reports themselves are in two or three cases rather elaborate expressions of opinion on the part of officers well-qualified to have opinions on Indian Judicial Administration.

18. On the amount of civil work done in the official year the returns from the Concan district are perhaps the most communicative.

19. The Judge reporting considers that the number of suits filed in 1862-63, namely 15,656, is likely to be the average yearly number for some time to come. On comparing it with the population of the division, he observes that this number gives one suit to every 82 persons. 28,977 suits were decided on in the year under report, and even this number is less by 2300 than the number of the suits adjudicated on in the preceding year. In Khandeish, where there were nine judicial officers, there came for adjudication during 1862-63, 24,950 appeals and original suits, involving claims to the amount of Rupees 24,94,259; of them 21,574 were disposed of. In addition, 235 cases were decided, which had been remanded by the High

Court of Judicature. In Ahmedabad, on the 31st December 1862, the total value of suits depending was Rupees 6,85,235. In Sholapore, it is stated about 400 civil suits or something less are tried every month. Civil Justice.

20. In only one case are the arrears very large: in the case of Canara, where out of 10,177 original suits and appeals in 1862, 5280 remained for adjudication at the close of the year, 2514 of these being on the files of two Moonsiffs; but this seems to be an exceptional case. In no other zillah apparently is the proportion so high as to be at all noteworthy. The average duration of suits ranges from two months eleven days in the Judicial Assistant Collector's court at Sattara, to six months and thirteen days in the court of the Principal Sudder Ameen at Ahmedabad. The reason for the length of time taken at Ahmedabad is probably given in the report of the Konkun district. The average duration of suits in the Konkun courts of original jurisdiction was in 1861-62 three months and twenty-seven days, but in 1862-63 six months and thirteen days. The explanation is that the unusual number of suits filed in 1861-62 had deranged the regular action of the courts. It is added that the average was taken on the time occupied in the disposal of the decided cases, and that if the undecided cases had been taken into calculation it would have been considerably larger.

21. The press of suits in 1861 is a subject of remark from almost every division. In Canara there were 6193, in the Ahmedabad division 17,233, and in the Konkun 21,476 more suits filed in 1861* than in 1862.* It is explained that the Statute of Limitation came into force in 1861, and that, consequently, a number of suits were suddenly instituted that would otherwise have been filed at future times extending over a period of several years. The Judge of the Konkun Division is disposed to consider that this difference marks the limit of the effect on litigation of the Act of Limitation. He takes it that the number of suits filed in 1862-63 (15,656) is likely to be the average for some time to come. The Judge of Sholapore, on the other hand, suspects that the decrease will continue under the operation of the Limitation Act. He observes that "The evidence of most transactions forming subjects of litigation is easily procurable within the period in which suits are now cognisable by the courts, so that it must be obvious to every one, however unjust or dishonest by inclination, that by refusing to settle just claims out of court, he is probably incurring useless expense, and damaging his credit to no purpose. On the other hand again, false claims, for the same reason, are easily rebutted, and the frauds of dishonest plaintiffs made apparent." Lastly, the Collector of Sattara, in noticing the fact that the original suits instituted in the courts subordinate

* For the Konkun read 1861-62 and 1862-63.

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to him were in 1862 less than half those instituted in 1861, attributes it to the provisions of the new Civil Procedure Code, which require the verification of plaints, to the increased cost of litigation, and to the dangers incurred under the new Penal Code by those who have unjust recourse to a court of law in order to gratify their malice.

22. With respect to the Code of Civil Procedure and its operation—The Judge of Ahmedabad remarks that the Code makes no due provision for the disposal of those cases in which the defendants may be residing in a foreign state with which there is no communication by post. Until this defect be rectified, he adds, many suits must remain on the files of the Mofussil Courts unheard and undetermined.

The Judge of Sholapore observes that in the execution of decrees by sale of immovable property, due notice is not always given to the public of the value of property to be sold. "Jahirnamas," indeed, are posted in the Talooka Cutcherry, at the village Chowrees, and other public places, and notice is given by beat of drum; property nevertheless is often sold very much below its real value. It has been suggested that each court should employ a crier, to be paid a certain per-centage out of the funds of the sale.

Of the native judicial officers in the Zillah of Sholapore the same Judge writes that they are, as a rule, ignorant of English. They consequently cannot understand the books of reference with which nevertheless the courts are plentifully supplied. The remedy suggested is the provision of translations.

The Judge of the Konkun Division calls attention to the fact that there are no proper warehouses for the custody of attached property, and that, consequently, the provisions of the Code of Civil Procedure with reference to the seizure of movables have not been, and could not be, carried out with strictness.

The Judge of Sholapore mentions that some difficulty was experienced by the peons of the civil courts in serving summons on defendants, and in ascertaining whether defendants are really living out of jurisdiction or are simply evading process; and that village officers were not always willing to give due assistance to the peons. The Magistrate has lately remedied this by directing that proper aid shall be afforded by village officers to servants of civil courts when it is applied for, but that this aid should be applied for only when other means shall fail. But the Judge thinks that there is reason to allow the peons to go at once to the Patel and obtain what information that officer has to furnish.

Civil Justice.

23. Another point on which a general unanimity may be observed in the reports is with reference to the opening for the introduction of Small Cause Courts. From Canara it is reported that about four-fifths of the suits filed were of the nature of those cognisable by Small Cause Courts. In Ahmedabad of the 13,075 original suits decided in 1862, 12,635 were connected with debts, wages, and the like. Out of 7120 original suits of different values decided by the native Judicial functionaries, 7010 were for values at and under Rs. 1,000, and 4515 for values at and under Rs. 50. In Sholapore, where the total number of cases that were for any time before the native Judicial officers during the official year 1862-63 was 10,471; 9996 were cognisable by Small Cause Courts. In the Konkun Division the suits relative to debts, wages, and the like are nearly 96 per-cent. of the whole number of suits. The Judge considers that this would justify the establishment of Small Cause Courts at such towns as Tanna, Callian, and Alibaug, and that such establishment would extinguish some of the minor courts already existing. In Khandeish the average value of suits decided during 1862-63 was about Rs. 77.

24. With respect to the Presidency as a whole, it appears that in the calendar year 1863 the Moonsiffs, Sudder Ameens, and Principal Sudder Ameens of the Presidency altogether disposed of 117,164 suits. Of these only 1651 involved more than 500 rupees, while so many as 106,913 concerned sums not exceeding fifty rupees, and 22,704 sums which did not exceed ten rupees. These figures will not perhaps be thought to render superfluous the citation of district statistics and of the individual opinions of District Judges. The judgment of these officers, and the peculiarities of their several districts, must necessarily ascertain what zillahs are most in want of county courts. Of the county courts in existence, reports have been sent in from three, from the old county court at Bombay, and from the new ones at Ahmednuggur and Poona.

25. The Mofussil Courts have each a jurisdiction of 800 or 900 square miles of area, but while the jurisdiction of the Ahmednuggur Court covers only 138 villages, that of the Poona Court, which sits at Wurgaum as well as at Poona, includes 431 villages. The average cost of proceedings to each suitor in the two courts was from eleven to fifteen per-cent. on the amount claimed. The annual gross amount of expenditure for maintenance was in the case of Ahmednuggur 11,747 Rupees, in that of Poona 14,685 Rupees: expended against, in the former case, 12,954 Rupees, in the latter, about 18,081 Rupees received. The Poona Court supplanted four Moonsiff Courts, the abolition of which effected a saving to Government of Rupees 16,512 yearly expenditure. The duration of each suit in a Moonsiff Court is six months five days if an average be struck

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for the whole Presidency. The average duration of each suit at the Poona Small Cause Court was 24 days, at the Ahmednuggur Court 13 days. Of the three courts, in the one at Poona alone did the total number of suits disposed of fall below the total number registered within the year. But the year in the case of Bombay is the official year 1862-63, in the one of Ahmednuggur and Poona the twelve months ending with the 30th of June last; the Moonsiff Court Returns, again, are for the calendar year 1862. Of the Advocates that practise in these courts, nothing very definite is said in the two reports from the Mofussil. The Ahmednuggur Judge reports of his court that generally the plaintiffs appeared through their Vakeels, the defendants nearly all, contested suits excepted, in person. He adds that he does "not allow the Vakeels to tutor the parties in relating matters connected with the facts of the case." In Bombay it appears from the returns that for the last six months of the year appearances of passed students have been more numerous than those of attorneys and barristers put together—

Period.	Barristers.	Attorneys.	Passed Students.
During the year	267	549	626
The last six months....	89	218	348

26. Finally, with respect to Civil Justice it remains to be observed that during the year under report, the only considerable improvement attempted was the passage of a bill for making better provision for the care of the persons and property of minors in the Presidency of Bombay. This bill was introduced because several cases had of late years come to the notice of the Judges of the Sudder Dewanee Adawlut in which minors' estates had been made away with by the natural guardians. The bill had for its object to authorise the interference of District Judges in such cases, but it did not receive the assent of the Governor General.

27. As what may be called private bills which were considered during the official year under report, may be mentioned here the Bill which was passed as Act V. of 1863 to confer certain powers on the Bombay Gas Company (Limited); the Bill for the Reincorporation and the Reconstitution of the Bank of Bombay, which was passed as Act X. of 1863; and a Bill to provide for the Management of the Vehar Waterworks, which has been submitted for the assent of the Governor General.

ADMINISTRATION OF CRIMINAL JUSTICE.

Criminal Justice.

28. From the tables (which, however, are more fragmentary and scanty than those of the Civil Courts) and from the occasional remarks made by the Session Judges in their reports, it may be gathered that one effect of the new Penal Code has been to increase the number of cases that come into the Courts of Sessions. In Ahmedabad, where the number of committed offenders was this year 240, the increase over last year was 43; in Canara the increase was 21 out of 68. In Dharwar and Sholapore increase also is reported. In the Konkun the number of committals in 1862-63 was 268 against 250 in 1861-62, while the convictions were 132 to 118. It is the opinion of the Session Judge at Ahmedabad that the increase is due to the confinement by the Penal Code of the powers of the Magistrate. Offences that formerly a magistrate was competent to try must now go up to the sessions. The Session Judge of Sholapore while alleging this cause also finds additional causes, the recent abolition of corporal punishment, and the increasing comforts of jail life; but he thinks that the present comforts of jail life may be modified when a system of proper out-door hard labour has been thoroughly carried out.

29. Capital sentences in Ahmedabad were 9 or 8 in excess of those in 1861. There were four cases of dacoity attended with murder, and three cases of boundary disputes which resulted in murder. Such disputes are of frequent occurrence in this zillah, where no adequate settlement of boundaries has yet been made. In Dharwar, the judicial district of which name possesses an area of 11,059 square miles, and a population of 1,806,374 persons, during 1862-63 there were three cases of dacoity and 18 cases of murder. In Khandeish there was only one case of murder (with unlawful assemblage). In Sholapore there were three cases of dacoity, one cause of which is supposed to have been the famine prices of grain during the year: six persons were accused of culpable homicide.

30. In Sholapore there were seven cases of offence concerning marriages under Sections 494 and 495, Cap. XX. of the Penal Code, the Judge remarking that "the provisions of this chapter are doubtless very unpopular throughout the country." In Tanna the number of offences relating to marriage was eight. In Ahmedabad nineteen prisoners out of 240 were under trial at the end of the year; in Canara 17 out of 68.

31. Acquittals in the Ahmedabad Division, number 94 out of 240 commitments; in Canara 17 out of 68; in Sholapore 73 out of 151, and in the Konkun Division 32 out of 268. Of particular cases that draw forth remarks from Judges may be instanced some at Sholapore, in which three

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public servants were tried for receiving a present under Section XI. of Regulation XVI. of 1827, and Regulation V. of 1833. The accused were acquitted, and the Session Judge believes have been since readmitted into Government service. The Judge mentions these cases in order to submit his opinion that Government servants, of however low a grade, who occupy situations of "trust," should be liable to permanent removal whenever there appears to be substantial ground for suspecting them to be untrustworthy; an acquittal which does not expressly declare that there have been and are no grounds of suspicion, should only, the Judge thinks, free the accused from the penal consequence of conviction. The practical result of following a different rule "is to inundate public offices with untrustworthy men."

32. Of offences against public justice the same Officer remarks that in the Sholapore Zillah they were chiefly for giving false evidence in civil suits. On an average about 400 civil suits (or something less) were tried in this zillah every month. Each party to a suit is bound to verify his statement on solemn affirmation. The issues are not generally of law, but of fact, and on points within the knowledge of the parties to suits. It therefore appears that "about 400 instances of *false verification*" must have occurred every month. Again, one witness probably in each such case deposed falsely, and false evidence in criminal trials is nearly as frequent as in civil suits. The Session Judge considers that the inference as to the amount of false evidence which must have been given in our courts during last year is "rather startling." He adds, "the infrequency of prosecution for the offence is in some degree to be accounted for by the circumstance that falsehood being so common it is difficult to discover where the falsehood lies."

33. In the reports sent in some opinions are stated and suggestions made on different points connected with the general administration of Criminal Justice. One common subject of remark is the working of the system of Assessors. The Judge of Sholapore is of opinion that assessors give the courts as yet but slight assistance. Their opinion is, with few exceptions, in favour of acquittal, this opinion being not justified by the evidence, but when they express a contrary opinion, it is as frequently "a mistaken one." Business, too, "is often at a stand-still from their not attending." The Session Judge of the Konkun, on the other hand, expresses satisfaction with the system and its mode of working. In the Tanna Division, out of 72 cases the opinion of the Assessors was in 57 the same with that of the Judge. In Rutnagherry in only 3 out of 29 cases was there a difference of opinion. The Judge experienced no reluctance to convict on the part of assessors. The institution would become a popular one if some remuneration were made to an assessor for the time he spends in the public service

The Session Judge of Poona also expresses satisfaction with the working of the institution: he finds assessors willing, attentive, and competent.

34. The employment of a public prosecutor is also subject of remark in more than one report. The Session Judge of Sholapore is dissatisfied with the way in which public prosecution is carried on in his court by the individual appointed to conduct it: the system works well in Poona.

35. Among subjects of remark in particular reports is the separate sessions which are held at Bhownuggur. The Session Judge of Ahmedabad says that the institution of a separate sessions at Bhownuggur (whence prisoners were formerly sent up for trial to Ahmedabad) has caused, or will cause, increased expense of money, time, and anxiety to accused persons and witnesses.

36. The Session Judge of Sholapore says that the provisions of Act X. of 1852, respecting the imposition of fetters on prisoners, cannot be, and are not, carried out in the case of the Sholapore Jail. The small strength of the jail guard obliges the authorities, as a rule, to secure all hard-labour prisoners with fetters.

37. The same Judge considers that judicial servants, especially native judicial servants, would be benefited by a greater copiousness of definition and explanation in the Penal Code. He instances the maxim "Ignorance of the law does not excuse" as being subject to limitations which should be expressed for the information of judges.

38. The same Judge also notes as defects in the Penal Code that it does not make punishable simple prevarication in giving evidence, and that it omits provision for punishment of the offence termed in English law man-slaughter. The latter point he illustrates by a case in which a man was tried on a charge of murder. The prisoner had thrown a stone at his brother. The stone struck the left ear of the brother, who died soon after, as was alleged, from the effects of the blow. The evidence showed that there was no intention to slay on the part of the thrower of the stone.

39. Of Chapter XIX. the Judge says that it is not of practical use as a check on the misconduct of private servants.

40. Of the power given by the Criminal Procedure Code to every civil court of sending certain cases before the Magistrate, the Judge of Sholapore says that he considers it to have been prematurely granted. He is of opinion "that no native Judge should have authority to send such cases before the Magistrate, but that he should submit every such case for the orders of the Zillah Judge." He suggests as an amendment of the form

Criminal Justice.

of charges given in Chapter XIII., that if the evidence before the committing Magistrate should show that the accused was guilty at the same time and place of several acts, and proof of one or more of them would be sufficient for conviction, each of such acts should be specifically laid in the indictment. At present, from the vagueness of the form, it is possible for a prisoner to find that the list of witnesses and exhibits given in for him at his commitment by the magistrate is quite useless when his case has come before the Sessions Court. Of course, an adjournment of trial would be granted in such a case, but this remedy, the Judge thinks, " is very likely to cause a failure of justice."

POLICE.

Police.

41. Respecting the strength, organisation, and efficiency of the Police, information has been derived from the Civil List, the reports of the Police Commissioners for the South and North Divisions of the Presidency, and the Annual Police Return for the Island of Bombay, which has now been for some time before the public.

42. At the close of the official year the European Superintendents, and Assistant Superintendents of Police in the Mofussil were in all 21 in number. Two natives appear as Assistant Superintendents.

43. The reports of the Commissioners of Police are not accompanied by any statistics. In the Northern Division highway robberies of a bold character and thefts have been very prevalent. In one case property to the value of 1,25,000 Rupees was forcibly stolen. Most of it was recovered by the Police after a conflict, in which two of the robbers lost their lives.

44. In the Southern Division there has been no increase of any particular species of crime excepting murders, of which there were fourteen cases more than in the preceding year; but these were not crimes which could have been prevented by any police. In the total number of offences there is a decrease amounting to 145.

45. Generally, it is reported that the country north and south has been quiet. The only incidents which seem to call for notice is the circulation of Chupatties in the Southern Division, and the trial of Madhaorao at Sholapore. In the apprehension of that conspirator, and of others who were not sent up for trial in British territories, the zeal and intelligence displayed by Captain Nuttall are adverted to with some emphasis by the Revenue Commissioner for the Southern Division. The circulation of chupatties, it is stated, seems to have had no ill-effects; with whatever objects

it was commenced, it was propagated in all probability by the mere superstitious dread that ill-luck would attach to the village at which the cake should last be delivered. Police.

46. The reorganisation of Police, which was effected at the instance of His Excellency Sir George Clerk, is reported to have worked well. The consequent alterations in the Police procedure, as well as the changes necessitated by the new codes, seem to be now clearly understood.

47. The "Jagheerdar Horse" employed for police purposes in the Southern Division are complained of as highly inefficient.

48. In both divisions reductions have been made in the strength of the police force. Some increase of absolute expenditure was occasioned, however, by the dearness of provisions, on account of which *batta* was sanctioned for all Government servants drawing less than 8 rupees monthly.

JAILS.

49. Exclusive of Aden, Sind, and the Presidency town, there are twelve jails in the Bombay Presidency. In these there was during 1862 an average daily strength of 3037 prisoners less than the number in 1861, which was 3286, and which was itself less than the number (3435) in 1860. A report from the Inspector General of Prisons (Dr. Wiehe) appears in the Appendix, and is the authority for what follows on the subject in this report. Dr. Wiehe's report contains statistical data which have been hitherto unrecorded in such reports from this side of India, and are now only collected with difficulty. Jails.

50. From first to last 9894 prisoners were admitted in the course of the year 1862. Of those admitted only 72 could be called well-educated for their position in life; 483* could read and write. 1815 were entered as Murathees, 1242 as Kolees, and 1266 as Mahomedans. These are the largest contributions under single names of races and religions. Among the smaller numbers are 653 Mahars, 452 Bheels, 379 Brahmans, and 216 Ramoosees: only 17 prisoners are entered as Parsees, and 12 as Purbhoos. There were 35 executions during the year. 344 convicts, inclusive of 18 females, were sentenced to imprisonment with labour for life. Those sentenced for one year and under to imprisonment with labour numbered 4725, and the total number of all grades of sentences during the year was 7905. The juvenile offenders number 563 of the admissions against 163 in the pre-

* *See* Dr. Wiehe on these figures.

Jails.

ceding year, and against 95 in 1860; 500 of the number were between 14 and 20 years of age. The nèt total cost of maintenance per prisoner varied from Rs. 35-5-2 at Dharwar to Rs. 100-12-2 at Sattara, which latter is the healthiest jail in the Presidency. For the whole Presidency the average net total cost per prisoner was Rs. 58-6-6, and the net total cost of maintaining all the prisoners was Rs. 1,77,392-3-11.

51. Great attempts are being made to utilise the labour of prisoners in these jails. Prisoners are employed on the roads, in garden work, and in factory operations carried on within prison walls. The jail gardens supply in most instances the entire quantity of vegetables required for the consumption of the jails. At Dhoolia, through the exertions of the late Session Judge (Mr. St. John Richardson), garden ground of 112 acres in extent has been gained to the jail.

52. Employment on the roads and out-door employment generally is objected to by the Inspector General, because it is prejudicial to the health of the prisoners, to their discipline, and to the successful development of profitable factory industry within jail walls. In Bengal it appears that in-door are more healthy than out-door labourers, the average mortality among the former being as 11·50, among the latter 22·90. Dr. Wiehe has little doubt from investigations now on foot that a like result will be shown to obtain in this Presidency. The large drafts made in the year under report of convicts from many of the jails for labour on the roads of Canara have in some cases almost paralysed factory operations. The factory at Dhoolia, which till the close of 1861 largely contributed to liquidate the cost of maintaining the jail establishment, was, in the words of the Session Judge, "virtually destroyed." The general result was everywhere the withdrawal of the able-bodied and long-termed labourers from the various factory operations. The possibility of such drafts also deters the managers of jails from engaging in manufactures which involve any large previous outlay in procuring machinery or laying in a store of raw material for gradual working up. The value of prisoners' labour in different jails ranged from Rs. 349-9-3 at Sholapore to Rs. 4,079 at Dharwar. The total profit on the out-turn of manufactures by all the jails of the Presidency together for the year was Rs. 15,424-14-6, being a decrease on last year of Rs. 4,713-12-3; but in reference to Honore no money is entered at all under the head of "Value of labour," or of "Profits." Nevertheless the prisoners have been employed "in quarrying stones, in repairing the public roads, in executing sundry jobs for private individuals, and in various domestic occupations connected with the jail." Rs. 214-8-0 were actually obtained by the sale of stones; Rs. 110-10-10 by the performance

of work for private individuals. The work done on the public roads and for the jail is estimated at the value of Rs. 2,862-15-6 for the year. Jails.

53. The principal handiworks which are being carried on in the jails are "husking rice, grinding attah and dall, and tailoring; the making of blankets, cloth, table-linen, towelling, carpets, paper, bamboo, rattan, and reed articles; the breaking of stones, and gardening."

54. The average number of prisoners employed upon manufacture was 697 out of a total of 2567, which was the average number of those sentenced to labour. The gross out-turn of the year amounted to Rs. 49,664-12-8, the net produce Rs. 15,125, the net profit Rs. 13,839-8-6, and the average earning of each prisoner employed on manufactures Rs. 19-13-8.*

55. The prisoners in all the jails, with the exception of one or two special cases, supply their own immediate wants in the way of contingent services. For the complete success, however, of jail manufactures, it is necessary, the Inspector of Prisons thinks, that Government, besides abandoning the present system of drafting gangs of able-bodied prisoners from the jails for out-door employment in public works, should employ convict-labour to supply the wants of the principal State departments. Great success, in the event of this being done, may be expected from a systematic attempt to make convicts maintain themselves. The example of the Alipore jail in Bengal is referred to, where there are two great branches of prison industry, viz. the typographic and lithographic presses, and the manufacture of gunny-bags. The keeper of the prison receives a heavy commission on the out-turn, which on an average amounts to a charge of Rs. 600 per mensem against the incomings from both branches of industry. Yet of the Printing department the net profits amounted in 1861 to Rs. 2,09,605-5-3, the average earning of each prisoner being Rs. 2-13-0 daily. Gunny-bags, which require care rather than skill, and great previous outlay of money or of instruction in the preparation, and the jail supply of which does not equal the demand, have returned (1861-62) in the way of net profit Rs. 59,952-1-11¾, each prisoner engaged in the manufacture earning on an average Rs. 59-15-3.

56. Bombay and Kurrachee are both supplied with a quantity of gunny-bags from Calcutta, which far surpasses what could be furnished by the jails on this side. The introduction of their manufacture, therefore, would be the introduction of a source of sure profit were the supply of labour unaffected by the fluctuating demands of road gangs, and were

* In other tables occur the variations Rs. 21-11-3 and Rs. 20-3-0.

Jails.

power-looms also made use of. At Dhoolia the manufacture has been introduced, but is not a pecuniary success, from the want of power-looms, and the consequent expense of construction. The cost of manufacture was there from ten to twelve annas a bag, and must be reduced one-half to give a profit.

57. The Inspector General recommends the adoption of the departmental system in the provisioning of jails. At present five jails are being fed departmentally and seven by contract, the former more cheaply than the latter, and not less wholesomely.

58. The cost of clothing each prisoner varies from Rs. 1-1-2 at Rutnagherry on the coast to Rs. 4-9-4 at Sattara in a high part of the Deccan, but all these figures are not vouched for by the Inspector General. The prisoners in the Bombay jails are, it is stated generally, far better clothed than any in the great jails of the other Presidencies.

59. The cost of guarding each prisoner varies in the different jails from Rs. 16-5-0 to Rs. 57-14-2. This is in some cases due to the malconstruction of the jails, but is in almost every case much greater than in Bengal, where the lowest sum is Rs. 3-13-7, and the highest only Rs. 17-0-3. The cost of living is, however, generally higher in Bombay than in Bengal, and the cost of policemen, which are almost the only guards entertained in the latter Presidency, is very much lower than the cost of the military guards that are in general employment in the former.

60. The year 1862 was not so healthy as 1861. The ratio of deaths to strength in the first-mentioned being 7·2, in the latter 5·6. The cause of the increase was—first, that generally the year was not a healthy year; second, that the able-bodied prisoners had been drafted off to Canara, the sickly and aged being left.

61. The greatest number of deaths occurred among those that had been sentenced to confinement for less than twelve months. The greatest mortality took place among those who had been in confinement for more than two years. If the criminals be classified according to their crimes, murderers and gang robbers were the largest contributors to the casualty list. If according to occupation, agriculturists are the largest—53·3 per-cent. In Bengal during the year 1860 the proportion of agriculturists was 66·81 per-cent. On the classification according to race, the Bheels are the greatest sufferers; on that according to age, the largest proportion of deaths (34·3 per-cent.) took place among those between 30 and 40 years of age.

62. The Inspector General recommends the establishment of a purely public works prison at Karwar.

Jails.

63. Propositions have been made for the transfer of the charge of the jails from the Session Judges to the Civil Surgeons, and for the establishment of central prisons.

64. The comparative table of mortuary returns from the different jails in the Presidency is worthy special notice.

65. The daily average strength of prisoners of all classes in custody during the year was 3037. Of this number 227 were females. 221* deaths occurred, the highest ratio per-cent. of mortality to the average strength being at Surat, and no less than 25·7.† The total daily average strength of prisoners at Surat was 194; at Kaira and Honore the per-centage was 10 and 10·6. The lowest per-centage was at Sattara, 1·2. Fifteen of the deaths in the Surat jail were from cholera, and fourteen from diarrhœa. In his special report on the jail, the Inspector of Prisons states that "the sleeping cells are low and devoid of ventilation" * * * "there is no garden" * * "no out-door employment" * * "the system of drainage is abominable, and embraces every character to be avoided in carrying out the principles of sound conservancy."

66. All the soiled and surface water, as well as the whole of the solid sewage from the jail, are received into underground drains, feeders to the principal or main-drains. The mortality was, however, aggravated from the presence for the first time in the jail of prisoners from the Broach Zillah, the majority of whom were "Bheels and cultivators, men accustomed to out-door life, and to drink water containing elements very different from those of the wells of Surat, which are brackish and full of nitrates, or from that of the river, which is also brackish." Twenty-two out of the fifty deaths during the year happened among these prisoners.

67. Surat jail, however, is not, perhaps, the very worst in India. It appears that in the North-West Provinces (at Meerut jail) the mortality for five years has never been less than 15 per-cent. In 1861, the famine year, it amounted to 63·22 of the average daily strength. The Black Hole of Calcutta destroyed in one night 84 per-cent. of the persons confined in it.

68. 9894 prisoners were admitted into jail in the course of the year. Of this number 2631 were agriculturists, who furnished 136 or ·121‡ of the 221 deaths.

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* Or 23·2 if another Return be taken.

† Or 28·3 if another Return be taken.

‡ These different figures occur in different Returns.

Jails.

69. It is necessary to bear in mind that the year 1862 was more unhealthy than the year 1861. This is the reason why in the first-mentioned year, with a smaller average strength, the deaths amounted to 221 against 204, the number of deaths that occurred in 1861. Local causes for the difference were, as a rule, non-existent. The "conservancy and general sanitary arrangements of all the jails have been, as far as practicable, placed on an improved system; ventilation has received every attention; bad drains, cesspools, and other similar sources of unhealthiness, have been uprooted and destroyed; charcoal has been liberally introduced into the hospitals and sleeping wards." * * * "In some jails, as Surat and Tanna, these reforms have been delayed from the extreme difficulty of carrying them out with any satisfaction; in the former instance, without abandoning the jail, at least, for a time, and eradicating its intricate and offensive drains."

70. Among the projects of criminal police or prison law that have occupied the attention of the Council of the Governor of Bombay during the past official year are particularly notable No. 15 in Appendix C, which was meant to declare in what offences "peremptory challenge" should be allowed, No. 23 which resulted in what is popularly known as the Cotton Frauds Bill, and No. 14 which sought to entrust landholders with the charge of the police within their respective lands. No. XVIII., for the regulation of reformatory schools, was intended to replace and improve upon a former Act passed by the Council, but not assented to by the Governor General. The reasons for the veto are given in the Appendix. One of them is of sufficient permanent interest to be reproduced here. It is taken from a letter of the Law Commissioners, by whom the preparation of the Indian Penal Code was originally undertaken :—

> "It appears to us also highly desirable, that if the Code shall be adopted all those penal laws which the Indian legislature may from time to time find it necessary to pass should be framed in such a manner as to fit into the Code. Their language ought to be that of the Code. No word ought to be used in any other sense than that in which it is used in the Code. The very part of the Code in which the new law is to be inserted ought to be indicated. If the new law rescinds or modifies any provision of the Code, that provision ought to be indicated. In fact, the new law ought, from the day on which it is passed, to be part of the Code, and to affect all other provisions of the Code, and to be affected by them, as if it were actually a clause of the original Code. In the next Edition of the Code the new law ought to appear in its proper place."

FINANCE AND REVENUE.

I. FINANCE.

Finance.

THE official year opened with a balance of Rupees 29,752,649, and closed with one of Rupees 32,130,137. Of the latter balance Rupees 3,986,332 were in the General Treasury; 14,199,948 in the Revenue Treasuries of the Mofussil; 1,465,072 in the General and Political Treasuries; 515,270 in the Military Treasury; 255,331 in the Public Works Treasury; and Rupees 11,788,184 in the Mint. On a comparison of the balances of the last five years, that remaining at the end of this appears to be only less than that of 1859-60, which amounted to Rupees 39,946,152, but at the close of no one of the four preceding years was there so much in the Mint as at the close of the year under report. The Mint balance of 1859-60 (Rupees 7,656,373) is the highest of the four; that of 1861-62 (Rupees 4,250,573) is the lowest.

2. The actual Receipts and Disbursements for the Presidency, inclusive of Sind, in 1861-62, with the actual and estimated Receipts and Disbursements for 1862-63, exclusive of those of the Public Works Department, are thus exhibited in gross by the Deputy Auditor and Accountant General :—

	1861-62. Actual.	1862-63.	
		Estimated.	Actual.
Receipts	89,530,566	87,123,830	96,219,159
Charges	60,582,064	58,917,520	60,736,213

and show an increase on receipts amounting to Rupees 6,685,593, with a corresponding increase of Rupees 154,149 in the charges.

3. Of the General and Political Treasuries rendering accounts to this Department, the corresponding statement stands thus, Military charges not being taken into account for the year 1862-63 :—

	1861-62. Actual.	1862-63.	
		Estimated.	Actual.
Receipts	1,013,369	919,342	852,858
Charges	1,412,559	821,304	766,802
Surplus	....	98,038	86,056

Finance.

4. The increase of receipts shown by the former statement mainly lies in the Land Revenue and the proceeds of the Opium and Stamp duties. The proceeds of the Income Tax, owing to the extension of trade, exceeded the estimate, but, in consequence of the exemption of incomes under Rupees 500 from the operation of the Tax, did not come up to the proceeds of 1861-62. The Mint revenue shows an increase over both the estimate for 1862-63 and the actual receipts of 1861-62.

5. Under the head of Disbursements, charges against Income in the Revenue Departments are found to have increased in the instances of Land Revenue,* Customs, Stamps, and the Mint, and to have diminished in those of Assessed Taxes, Salt, and Opium. Other and more considerable charges against Income are entered under the two headings of "Allowances and Assignments under Treaties and Engagements," and "Allowances to District and Village Officers"; the former exhibiting an increase, the latter a slight decrease, though a considerable increase over the estimate. The following table summarises the actual charges against Income for 1862-63 :—

I. Revenue Departments	Rs.	5,391,244
II. Allowances and Assignments under Treaties and Engagements	,,	5,376,524
III. Allowances to District and Village Officers	,,	5,503,271
IV. Other charges, miscellaneous, special and temporary ..	,,	181,700
	Rs.	16,452,739

6. The following table contrasts the charges given in the last paragraph for 1862-63 with those for 1861-62 :—

	1861-62.	1862-63.	Increase against 1862-63.	Decrease of 1862-63.
	Rs.	Rs.	Rs.	Rs.
I..	4,809,811	5,391,244	581,433	.....
II..	5,280,813	5,376,524	95,711	.....
III..	5,577,491	5,503,271	.....	74,220
IV..	116,892	181,700	65,808	.....
	15,785,007	16,452,739	742,952	74,220

The net increase of charges against income for 1862-63 is therefore Rupees 668,732.

7. The items which make up the charges against Income in the

* Including Sayer and Abkaree.

Revenue Department, ranged in order of their magnitude, stand as follows :— Finance.

a. Land Revenue, Sayer and Abkaree	Rs.	3,566,640
b. The Mint	„	539,896
c. Customs	„	461,186
d. Salt	„	355,531
e. Stamps	„	276,721
f. Assessed Taxes	„	157,231
g. Opium	„	34,039

8. The excess of the "Allowances to District and Village Officers" over the estimate is explained by the fact that this very considerable charge against Income is not easily estimated. "The arrears are large, and the payments in many cases are fluctuating, being a per-centage on the Revenue collections."

9. If the receipts for 1862-63, under the heads of Land Revenue, Assessed Taxes, Customs, Salt, Opium, and Stamps, be added together, the sum will amount to Rupees 88,822,228. The charges against Income under the same heads, summed with the Allowances to District and Village Officers, will make a total of Rupees 10,354,619. Taken by themselves they amount to Rupees 4,851,348.

10. Of other disbursements, that on account of the Army amounts to Rupees 26,913,096. Under the head of "the Civil Service" the disbursements amount to Rupees 11,229,905. The following table exhibits the more important items of "Civil" expenditure in the order of their magnitude :—

	Rupees.
I. Police	3,403,213
II. Law and Justice	2,929,328
III. Salaries and expenses of Public Departments	1,997,302
IV. Superannuation and Retired Allowances and Gratuities for Charitable and other purposes	1,399,665
V. Miscellaneous	522,788
VI. Political Agencies and other Foreign Services	466,655
VII. Education, Science, and Art	448,366

THE MINT.

11. The capabilities of the Mint are being nearly doubled by alterations and additions in course of construction. During the year under report the amount coined and paid into the treasury exceeded sixty and a half The Mint.

The Mint.

million rupees. Mint certificates were issued for more than seventy-one millions. The following table, taken from the report of the Deputy Auditor and Accountant General, gives the yearly amount of Mint certificates issued, and of the money coined during the past five years:—

	Mint Certificates issued.	New Coin paid in.
1858-59	20,211,700	21,904,600
1859-60	22,131,500	40,516,500
1860-61	17,150,500	19,802,400
1861-62	47,561,200	40,592,800
1862-63	71,310,600	60,656,900

12. In 1862-63 the Mint was therefore worked much more than usual, and beyond its capabilities. At the beginning of the year it was working extra hours. Subsequently the influx of bullion became so great, that although coinage was by order carried on both night and day, the out-turn still fell short of the amount of bullion tendered monthly. In order to assist the Bombay Mint remittances of coin were obtained from Madras to the amount of twenty-five lacs of rupees, and fifty lacs worth of bullion were forwarded to the Mint at Madras for coinage.

13. The excess (Rupees 8,379,775) of the draughts on Bombay made by the Secretary of State over the remittances from Calcutta and Madras, and the excess (Rupees 10,653,700) of Bullion certificates issued over the rupees coined, amounted together to the aggregate sum of Rupees 19,033,475. This was provided for mainly from the Cash Balances and Revenues of the Presidency. In consequence, the Balance of Cash in Her Majesty's Treasury Bank of Bombay was frequently reduced to below the minimum of Rupees 3,000,000, which by the agreement with the bank it is required to keep with it. On one occasion the reserve was as low as Rupees 792,565. The effect of reducing the Balance at the Bank of Bombay below the covenanted minimum was a charge by the Bank, in accordance with its agreement, for Interest on the average monthly Balances. As much money as possible, Rupees 13,671,700, was withdrawn from the Local Treasuries in the Mofussil, which have not since 1858-59 been so low as they were at the close of the year under report. Inquiries were made whether the number of minor treasuries could not be permanently reduced, and the officers who have general control over the management of Mofussil Treasuries have been directed to avoid the practice of retaining large Cash Balances in them.

14. The Government of India in February 1862 having sanctioned the sale, at a discount, of copper coin, a large issue took place, and, two or three Treasuries excepted, no demand for further issue has been made. The benefits of this measure have been very great to the poorer classes. They

have been relieved of the charge of one anna to two annas (6¼ to 12½ per cent.) hitherto made by the native shroffs on every rupee for which copper change was given. The Mint.

2. REVENUE.

15. The monsoon of 1862 was in some localities peculiar. In Khandeish, Ahmednuggur, Poona, and Sholapore, the early crops failed from want of rain, and in Surat and Khandeish a continuance of wet weather till almost the end of November inflicted considerable injury. Revenue.

16. The unfavourable nature of the season, together with other causes, seems to have had an influence in raising the price of grain and of other necessaries of life. In Khandeish serious apprehensions were entertained of a famine. Both there and in the Southern Division it was found necessary, in consequence of the dearness of provisions, to allow the lower grades of Government servants an addition to their salaries, and famine relief works were sanctioned and instituted for the employment of the poor. The necessity for relief works did not continue, but the additions to the salaries of Government servants have been maintained. The difference between the prices of 1861-62 and the current rates was between twenty to thirty per-cent., and between the current rates and those of six or seven years ago, it was as much in some cases as one hundred per-cent.

17. In the Northern Division the increase in the net collections of land revenue amounted to 547,733 rupees, in the Southern to 371,693 rupees, the total realisable land revenue of the latter Division being 10,834,263, and of the former 11,205,678 rupees.

18. The increase in land revenue is to be distributed among the various Collectorates as follows:—

Ahmedabad	Rs.	196,938
Kaira	„	2,549
Surat	„	121,569
Tanna	„	75,100
Khandeish	„	151,577
Ahmednuggur	„	105,258
*Sholapore	„	119,665
Poona	„	34,596
Belgaum	„	31,433
*Dharwar	„	133,760
Rutnagherry	„	29,983
Canara	„	18,539

* The increase here is mainly attributable to a transfer of territory from another Collectorate.

Cash Alienations.

19. In the course of the inquiry now going on into the cash alienations of Guzerat, a large number of allowances has been settled in Kaira. In some cases annual payments from the treasury on the score of land resumed have been commuted for by the payment of a lump sum. Classified lists of all cash allowances from the treasury are under preparation, and will form, it is expected, a permanent and reliable record.

20. In the Deccan and in the Southern Maratha Country claims to cash allowances to the amount of Rupees 216,762 are entered as having been disposed of at the close of the official year, the value of unadjudicated claims standing over to next year being Rupees 516,142. In Belgaum the claims are the most in number, in Poona the greatest in value:—

Name of Collectorate.	Claims disposed of.		Claims remaining.	
	No.	Value.	No.	Value.
		Rs.		Rs.
Poona	311	83,461	5,163	276,023
Belgaum	713	33,905	7,573	17,432

The number of all the claims disposed of was 3075; of those left standing over 516,142. The amount of alienated public revenue recovered by the immediate or presumptive discontinuance of cash allowances is Rs. 2,639.

Land Alienations.

21. In Khandeish, parts of the Colaba Sub-Collectorate, the Surat, Poona, Ahmednuggur, Sattara, Belgaum, Dharwar, and Sholapore Collectorates, land alienations have been or are being settled in accordance with Act II. of 1863. 38,073 inam claims have been finally settled, and only 325 remained to be settled. The total annual increase to the revenue from these settlements exceeds three lacs and five thousand. The claimants have on their side secured the permanency of their inams. Holders of personal as distinguished from service inams which are thus settled, enjoy in addition all the privileges which holders of private property enjoy in respect of succession and transfer. In parts of the Northern Division and in Rutnagherry, where land alienations are under the same law as Guzerat and the Northern Konkan, the Summary Settlement will be introduced in accordance with the provisions of Act No. VII. of the Bombay Legislative Council.

22. Of the seven collectorates which occupy the British territories above the Ghauts, the amount of Chowthaee and annual Nuzzurana

leviable under the Summary Settlement is greatest in Sattara (Rupees 120,729), and least in Poona (Rupees 13,576). Land Alienations.

23. The Sayer Revenue in the Southern Division exhibits a decrease, in the Northern an increase. The net decrease in the former division (Rupees 10,563) is attributable to a falling off in Stamps, Judicial Receipts, and Income Tax. The gross decrease (Rupees 456,364) is referrible to the collections from Ahmednuggur, Sholapore, Poona, Sattara, and Rutnagherry. From it the gross decrease is to be obtained by subtracting Rupees 445,801, an increase due to the collections from Belgaum, Dharwar, and Canara. The decrease in Income Tax returns is attributed to the abolition of the 2 per-cent. tax levied on incomes of Rupees 500 and under. The increase in the realisations under the head of Stamps, which took place in 1861-62, was exceptional, and due to the exceptional number of suits filed that year in anticipation of the enforcement of the statute of limitations, a circumstance which explains the decrease of this year. Sayer (Income Tax, Stamps, &c.)

24. Canara, the Collectorate of Sattara, and several villages in the Sholapore Collectorate and in the Southern Maratha Country, were brought under the Bombay regulations for the first time during the year reported on. In Poona, Ahmednuggur, Sholapore, Belgaum, Dharwar, and Sattara, the office of Mahalkurree has, one case excepted, been abolished, and the District Kutcherries reduced from 126 in number to 72.

25. In all collectorates of the Southern Division the general settlement which it is proposed to effect with the Hereditary District Officers has been to some extent anticipated. The Carcoons those officers are bound to supply to the service of Government have been dispensed with, and their places supplied by ordinary Government stipendiaries. Under the new settlement, Hereditary District Officers will be allowed to commute the service hitherto due from them by money payments into the treasury.

26. The late material reduction of Customs duty, a reduction chiefly the result of Act XI. of 1862, had not been at the date of report compensated for by increased consumption, and the result was a decrease in net Customs revenue of Rupees 12,86,771-15-7, the net amount obtained in 1862-63 being Rupees 75,91,488-15-8 against Rupees 88,78,260-15-3 for 1861-62. But in the value of imports for 1862-63 an increase appeared of Rupees 7,16,21,300, the imports of 1861-62 amounting to Rupees 21,85,05,797, those of 1862-63 to Rupees 29,01,87,097. This value of imports, however, is far below the real amount. The Tariff value of Cotton Goods, according to which imports have been valued and assessed in the Customs Return, were in 1862-63 less by at least one-half than the real existing value of such goods at the time of import. Customs.

Customs.

27. Comparing the Customs Revenue of 1862-63 with the average Revenue for the five years preceding, the former exhibits a decrease of Rupees 69,884. But if the years 1857-58, 1858-59, be taken, when the Customs levied were more in accordance with those of 1862-63 than the Customs of the three intervening years were, 1862-63 has the advantage :—

	1857-58.	1858-59.	1862-63.
Rupees	41,45,894-2-3	60,07,015-10-0	75,91,483-15-8

Had it not been for the decrease of Revenue on Cotton Goods (more than 1,500,000 rupees), caused by the operation of Act XI. of 1862 and the state of Lancashire, the revenue of 1862-63 would have exhibited an increase over every one of the five preceding years.

Imports.

28. The Customs Revenue on Imports for 1862-63 was Rupees 63,73,878-9-2, exhibiting a decrease on the Import Revenue for 1861-62 of Rupees 13,41,984. The greatest decrease of revenue, above 15,00,000 rupees, on the importations of any one article, was on that of Cotton Goods. Other heads of decrease are Beads, Books, and Stationery; Cotton Twist and Yarn, Malt Liquor, Lead, Spelter, and Steel; Ivory and Ivory-ware; Naval Stores; Salt, Raw Silk, Spices. Of these articles, Act XI. of 1862 had reduced the duty on Malt Liquor from four to two annas the imperial gallon on import; on Cotton Piece Goods from 10 per-cent., *ad valorem*, to 5 per-cent. on import; on Cotton Twist, from 10 per-cent., *ad valorem*, to 3½ per-cent., *ad valorem*, on import.

29. The largest *increase* of Import Revenue took place on Brass, Copper, Iron, Tin, and other descriptions of Raw Metals. Other articles on which an increase took place were Alum, Apparel, Dyes, Gums, Jewellery; Tobacco, manufactured and unmanufactured, the duty on which had been *reduced*, by Act XI. of 1862, from 8 annas per seer of 80 tolas to twenty per-cent., *ad valorem*, on imports; Wax and Wax-Candles; Carriages and Conveyances, which previously free, had been burthened by Act XI. with a duty of 10 per-cent., *ad valorem*, on import; Coffee, Drugs; Wines, light qualities of which Act XI. admitted on payment of one rupee instead of two rupees the imperial gallon on import; Woollen Goods, Manufactured Metals; Silk Goods, on which the same reductions had been made by Act XI. as on Cotton Piece Goods; Tea, Railway Materials, Machinery, &c., Spirits, Sugar, and Sugar-candy. With respect to the increase on Tobacco, the Commissioner reports that the trade in this article has not yet had time to completely recover from the effects of Act X. of 1860. That Act placed a duty on Tobacco of between two and three hundred per-cent., but Act XI. of 1862 restored the duty on Tobacco and preparations from it to Rupees 20 per-cent., *ad valorem*. The trade is therefore reviving.

30. The Import Revenue at the Minor Ports in Guzerat and the Concan shows a falling off, in most part attributable to the state of trade with Goa. At that place the high prices of Cocoanuts and a bad fishing season reduced the supplies of Salt-fish and Cocoanuts, which are usually exported thence to the Concan ports. But the import revenue realised at these Continental Ports, though less than the revenue of 1861-62, is greater than the average of the five preceding years (1857-58—1861-62) by Rupees 3,085-8-2. Import Revenue.

31. The Exports Customs Revenue of the Port of Bombay for 1862-63 (Rupees 4,51,104-1-3) is less than that of the year 1861-62 by Rupees 63,872-6-1, and less than the average of the preceding five years, beginning from 1857-58 inclusive, by Rupees 1,77,840-4-7. The chief items of decrease in this export revenue are Linseed, Cashmere Shawls, Rice, Wheat, and other grains. On the items of Rapeseed, Saltpetre, sundry Seeds, Salt, Oils, Hides and Skins, Drugs, an increase is shown. Export Revenue.

32. The Export Revenue derived from the Continental Ports (Rupees 22,198-5-8) also exhibits a decrease, on the preceding year, of Rupees 7,443-3-11; on the average of the preceding five years, of Rupees 22,781-5-8.

33. The decrease of the Export Revenue at Bombay and the Guzerat ports is mainly attributed by the Commissioner of Customs to the fact that the export of Cotton and other free articles has become of late so much more profitable than that of duty-paying goods. The decrease in Customs Duty on the Bombay exports of Rice and Linseed alone would more than account for the net decrease in the export Customs Revenue at the Port of Bombay, as given in paragraph 31, Rupees 63,872-6-1. On the other hand, the value of the export trade in Cotton Wool for the whole Presidency has increased from Rupees 9,26,35,531 for 1861-62, to Rupees 14,83,54,800 for 1862-63.

34. The diminished Export Revenue at the Concan Ports is chiefly attributed to local causes.

35. The reduction of the high rates of duty ruling between the years 1859-60 and 1861-62 have exercised on Land Customs and Frontier Duties a similar effect to that which they had on the Sea Customs. The Frontier Duties on import and export during the year under report (Rupees 52,409-14-0) were less by Rupees 7,117-7-6 than the same item for the preceding year, and less by Rs. 3,404-1-0 than the average of the last five years. Frontier Duties.

36. Among minor items of Customs Revenue, the Wharfage Fees and Warehouse Rent paid to Government at the Port of Bombay are noticeable. The high rents prevailing at Bombay make it more profitable for traders to leave their goods on the Government premises than to remove them.

Frontier Duties.

This practice at times is attended with inconvenience to the general trade. An enhancement of rates is recommended to compel importers to leave the wharves clear for business. The Wharfage Fees at Bombay for 1862-63 amounted to Rupees 19,423-6-3, an increase on the average of the last five years of Rupees 8,398-2-1. The following table will exhibit the character of the increase of this branch of revenue :—

Wharfage Fees at Bombay :—

	Rs.	a.	p.
1857-58	7,887	10	5
1858-59	7,610	13	0
1859-60	11,054	15	5
1860-61	13,089	2	6
1861-62	15,483	11	9

General Trade.

37. With respect to the general trade of the Presidency it may be of interest to state that the greatest items of increase in the collection of Customs for 1862-63 appear under the heads of the imports from China, France, and the Isle of France; and under those of the exports to America, St. Helena, Cutch, and Siam. The greatest item of decrease is furnished by the collections on the imports from Great Britain. The decrease on imports from Great Britain amounts to Rupees 15,64,683-9-2 out of a total decrease of Rupees 17,16,545-10-5 only. That on export is Rupees 66,082-12-6 out of a total decrease of Rupees 1,02,566-9-7.

38. The Commissioner of Customs draws attention to the fact that for 1862-63 the exports and re-exports of the Bombay Presidency apparently exceeded in value the imports for the same year by more than a million sterling, the former amounting to Rupees 30,13,92,044, the latter to Rupees 29,01,87,097. The Commissioner refers for explanation to the tariff values of the goods assessed for Customs duty. These assessments were frequently, in the case of cotton goods and twist, always and greatly below their actual market values. (See above paragraph 26.) It is noticeable, adds the Commissioner, that 1862-63 is the first year of which the exports so much exceed in value the imports.

39. The import trade of 1862-63, though so greatly increased in value, employed less tonnage than before. The bulky imports have fallen off, and the increased exports do no more than take up some of the superfluous tonnage that otherwise would have gone round in ballast to the Eastern rice ports. Under the head of arrivals at the Port of Bombay, the ships and tonnage under British, American, and French colours, show a decrease against 1862-63; those under "Other" colours an increase. Under the head of departures, British ships and tonnage exhibit an increase; American, French, and "Others," a decrease. Native craft are fewer in

numbers and in burthen under both heads, and steamers more than they were in 1861-62 :—

	1862-63.		1861-62.		Increase.	
	No.	Tonnage.	No.	Tonnage.	No.	Tonnage.
Steamers arriving	105	79,290¾	86	65,367¼	19	13,923½
Steamers departing	104	67,200¾	83	62,380	21	4,820¾

Sailing ships that arrived during 1862-63, not being native craft, were 457 in number, and had a burthen of 348,912¾ tons.

40. Bombay during 1862 imported—

Of Silver more than	995	lacs worth.
,, Gold	402	do.
,, Cotton Wool	339	do.
,, Cotton Goods	297	do.
,, Sugar & Sugar Candy	82	do.
,, Copper (raw)	61	do.
,, Railway Materials	58	do.
,, Fruits	44	do.
,, Raw Silk	42	do.
,, Iron (raw)	34	do.
,, Cotton Twist & Yarn	32	do.
,, Grain	32	do.
,, Malt Liquor	28	do.
,, Spirits	27	do.
,, Yellow Metal	25	do.
,, Silk Piece Goods	21	do.
,, Military Stores	20	do.
,, Manufactured Metals	20	do.
,, Machinery	20	do.
,, Coffee	20	do.

41. The items given in the last paragraph are the principal in a list of 68 leading articles of import, in which an increase or decrease of importation has been apparent during 1862-63. Of the twenty items enumerated above, all but three exhibit an increase. The three which show a decrease are, Cotton Goods (of more than 47 lacs), Military Stores (of more than 45 lacs), and Raw Silk (of more than 4 lacs). Of the items not included in the above extract from the list of 68, nine are of more than twelve lacs in value.

42. Articles that exhibit a large *proportional* increase or decrease in value of imports placed by themselves are as follows :—

Articles of Trade.	Increase of 1862-63 on 1861-62.	Amount of 1861-62.
	Rs.	Rs.
Alum	1,82,327	63,589
Yellow Metal	17,50,953	7,79,401
Molasses	69,014	10,014
Railway Materials	29,53,621	29,22,558
Spirits	20,14,453	7,13,765
Tea	6,54,389	6,54,389

43. From the Mauritius the imports of sugar during the year under report are more than ten lacs against less than one lac in the preceding year. It is remarked of the article "Beads," that though the imports fell off from nearly five lacs to less than one and a half lac, the re-exports increased. The cause assigned is the supersession in India of beads for ornamental purposes by gold and silver.

44. The imports of gold and silver as contrasted with those of the preceding five years are exhibited (in rupees) in the following table : —

	1857-58.	1858-59.	1859-60.	1860-61.	1861-62.	1862-63.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Gold ..	1,53,35,797	1,97,32,307	2,56,07,418	2,50,32,294	2,85,39,425	4,02,25,794
Silver ..	5,96,49,976	4,45,15,517	4,67,86,769	3,88,59,849	6,64,71,563	9,95,92,005
Total..	7,49,85,773	6,42,47,824	7,53,94,187	6,38,92,143	9,50,10,988	13,98,17,799

The proportions of gold to the whole amount of bullion and coin imported is not, the Commissioner remarks, greater than the proportion obtaining in previous years, and does not afford any reason for believing that silver is about to be superseded by gold in shipments to the East.

45. During 1862-63 Bombay exported—

Of Cotton Wool more than 1483 lacs' worth.
,, Opium do. 785 lacs' worth.
,, Bullion & Specie do. 248 do.
,, Wool do. 76 do.
,, Other Articles do. 123 do.

General Trade.

46. Of cotton the exports of 1862-63 exceeded those of 1861-62 by more than 557 lacs, of opium by 171 lacs, of bullion and specie by more than 78 lacs, of wool by more than 41 lacs. From a comparative statement given by the Chief Commissioner of the exports of cotton wool in the years beginning with 1853-54 inclusive, it appears that since that date, while the *quantity* of cotton exported has little more than doubled, the *value* has sextupled :—

Year.	Quantity.	Value.
		Rs.
1853-54	172,025,319	2,47,74,995
1862-63	365,815,189	14,83,54,800

47. Of shawls the exports of 1862-63 were less by more than 18 lacs than those of 1861-62, and those of tobacco by more than 10. A falling off in linseed, of small amount, however, is especially accounted for by the preference of buyers for the Bengal growth, and by the diversion of land in Khandeish and Berar from the cultivation of linseed to that of cotton. The large decrease in the export of shawls is attributed to a deterioration of excellence in the manufacture.

Opium.

48. The aggregate revenue of the whole Opium Department under all heads for the year 1862-63 was Rupees 3,25,91,442-7-7, presenting an increase over 1861-62 of Rupees 79,88,761-6-6. This was administered at a total cost of Rupees 34,379-3-10, a charge, according to the Commissioner's computation, of one anna and eight pies per-centum of the gross realisations.

49. Of the entire revenue, Rupees 3,24,25,000, or £32,42,000, was derived from Pass Fees on opium which was exported mostly from Malwa to China *viâ* Bombay, and which is estimated to have been worth nearly £8,000,000. The small balance of opium exported from Guzerat and Ahmedabad yielded a revenue of Rupees 3,26,12,900, an item which shows an increase of Rupees 5,93,900 on the same item for 1861-62. It is thought that the trade from Ahmedabad will go on increasing. Only lately permitted, it has greatly stimulated the extension of poppy cultivation in Guzerat. A new road of transit for opium to the sea is being opened through Nagpoor, and it is estimated will have similar favourable results.

50. The revenue from Pass Fees, as given in the preceding paragraph, shows an increase over the revenue for 1861-62 of Rupees 79,83,600, and over the average annual revenue of the five years immediately preceding the

Opium.

year under report of Rupees 1,34,62,654-1-5. The increase is due partly to the favourable prices ruling in China during the year, and partly to an extension of cultivation which was caused by the early publication of the intention of Government to reduce the duty from Rupees 700 a chest to Rupees 600, a reduction which took effect from the 1st of October 1862.

51. The average annual number of duty-paying chests for the five years immediately preceding was 38,552$\frac{1}{5}$ against 51,745 for 1862-63. The number of duty-paying chests for the year 1861-62 was 38,667. The highest number in any one year of the five preceding years was 45,072. This was the number reached in 1860-61.

52. The next most considerable item in the opium revenue is the amount realised from the sale of licences to sell opium (Rupees 1,01,360-14-7.) Then follows Rupees 32,119-8-9, the interest on Hoondies which, given in payment for passes, were not paid on the dates they fell due. The amount received under this head is, says the Commissioner, a test at once of the judgment and care of the officers whose duty it is to choose between good and bad hoondies, and of the standard of commercial morality amongst the traders themselves. It is, therefore, satisfactory to note that although there was in 1862-63 a great increase of business done in opium, the amount received as interest of Hoondies for 1862-63 was less by Rupees 2,032-0-3 than that paid in during 1861-62.

53. Rupees 27,850-14-10 represents the profit (Rupees 8-12-11) per cent. accruing to Government during 1862-63 from the opium purchased by it from wholesale merchants and retailed to petty dealers. The opium sold in this way by Government had cost it Rupees 1,71,025-2-2. It was retailed for Rupees 2,05,425-5-5, the charges and other deductions from gross profits amounting to Rupees 6,549-9-3. The value of the stock in hand at the close of the year (the circumstances of the traffic requiring the retention of such a balance) was Rupees 1,39,226-3-1.

54. The remaining item (Rupees 5,111-1-5) in the details of the opium revenue is made up of fines on smugglers, and the Government share in confiscated opium. The fines on smugglers (Rupees 753-0-10) are almost twice what they were in 1861-62.

Salt Excise.

55. The Salt revenue under every head for 1862-63 was Rupees 38,48,026-11-11, exhibiting a net increase of Rupees 1,09,532-0-4 over the revenue for 1861-62. Against this are to be set Charges, amounting to Rupees 28,051-13-10, making a percentage against revenue of Rupees 7-15-9. During the year 2505 maunds and 9 seers were seized on suspicion of smuggling; 1963 maunds and 4 seers of this were, however, released in absence of proof; but the total quantity of salt removed from the pans in a legitimate way amounts to more than 46 lacs of maunds. Undetected

smuggling is said to go on at sea, where salt which has left the pans, on payment of a reduced or nominal fee, for Calcutta and other Indian ports, is supposed to be often surreptitiously sold to fishermen who belong to the Bombay Presidency. A possible cause of smuggling, the production of salt in certain districts by the action of high tides, is guarded against by directions given to local officers for the careful destruction of all such formations. Salt Excise.

56. Part of the Salt revenue, consisting in duties on importations, is properly a customs duty, but the excise (of Rupees $1\frac{1}{4}$ per Indian maund) upon the removal of salt from the places of its manufacture within the Presidency amounts to more than 35 lacs of the gross revenue. This excise would be still larger but for the "removal of salt under nominal excise rates, which Government permit to be carried on between the Bombay Presidency and the ports of Calcutta, Malabar, Penang, and Singapore." The salt thus and in similar ways relieved from the payment of duty, and which would possibly, if not so relieved, be thrown to some extent into the Bombay markets, is more than two-fifths of the total amount manufactured in Bombay pans. "There would seem cause to believe," says the Commissioner, "that where such a competition exists and is permitted, prices to local and adjacent consumers who can only remove their supplies under the payment of full excise must become materially raised." This conclusion is strengthened by the fact that while the people generally are enjoying marked prosperity, and the total quantity of salt manufactured during 1862-63 shows an increase of a little more than 471,000 maunds over the quantity manufactured during 1861-62, the increase in the quantity of salt paying duty for consumption within the Presidency was less than 68,000 maunds.

57. The credit of the Bombay salt excise as a source of revenue is perhaps more indubitably affected by the exemption of the particular exports referred to than are the interests of the inhabitants of the Bombay Presidency. Had the 1,831,690 maunds of salt that were in 1862-63 exported free of all but nominal duties to Calcutta and elsewhere paid full duty, the total amount of excise revenue claimable by the Bombay Presidency would have amounted to more than 57 lacs in place of the less than 35 lacs, which has actually been received. The balance is, indeed, not lost to the Imperial Treasury, as, excepted what is smuggled in course of transit, it is all realised in a similar form elsewhere.

58. Against the whole quantity of salt removed from the pans in 1862-63 for consumption (more than 40 lacs) it would be misleading to contrast the quantity of salt written off under loss and wastage, between 10 and 11 lacs; for a large proportion of this is the difference between the *measured* quantity of salt taken out of store, and the conjectured quantity

Salt Excise.

brought into store from the pans. This is because the salt is in many cases not the property of Government, and while the Government officers possess no means for measurement, the manufacturers themselves are content with an approximate estimate of their produce. The term "loss and wastage" might be replaced by "debit from *over estimate* and wastage." This debit is more than that of 1861-62 by more than 6 lacs of maunds, but the excess is merely nominal, the results not having been before calculated with any attempt at precision. In the Madras Presidency, the Commissioner states, where the salt is actually measured both on entering and leaving store, five per cent. is allowed for wastage, and is sometimes exceeded.

59. So far as the salt-tax is a customs duty, it has averaged for the five years ending with 1862-63 Rupees 22,816. Some of the imported salt comes from the Red Sea as ballast, but the larger quantity, more than 2 lacs of maunds, comes by land. The land trade is increasing, particularly the importations from Cambay and Goa. The whole revenue derived from all importations of salt during 1862-63 was Rupees 38,48,026-11-11, presenting a net increase over the same revenue for 1861-62 of Rupees 1,09,532.

FINANCIAL AND COMMERCIAL LEGISLATION.

Financial and Commercial Legislation.

60. The following projects of law, relative to subjects of Finance and Trades, were under the consideration of the Council of Bombay during 1862-63 :—

a. A Bill for the levy of Port Dues in the Ports of the North Canara District.

b. A Bill to promote the construction of Lines of communication as feeders to Railways, High Roads, Navigable Rivers, and Canals.

c. A Bill to facilitate the adjustment of unsettled claims to exemption from the payment of Government Land Revenue, and to regulate the succession to and transfer of lands wholly or partially exempt from the payment of such revenue in those parts of the Bombay Presidency which are subject to the operation of Act XI. of 1852 of the Legislative Council of India.

d. A Bill for the Registry of vessels and levy of Pilotage Fees on the River Indus.

e. A Bill for the Summary Settlement of claims to exemption from the payment of Government Land Revenue, and for regulating the terms upon which such exemption shall be recognised in future

Financial and Commercial Legislation.

in those parts of the Bombay Presidency which are not subject to the operation of Act XI. of 1852 of the Council of India.

f. A Bill for the Re-incorporation and Re-constitution of the Bank of Bombay.

g. A Bill for the better suppression of Frauds in the Cotton Trade in the Presidency of Bombay.

h. A Bill to amend Act XV. of 1858 for the levy of Port Dues in the Port of Aden.

61. Of these Bills the first and eight are identical in character. They were both passed, the former as Act VII. of 1862, the latter as Act IV. of 1863. The annexation of what is now called Canara to the Bombay Presidency rendered it necessary to formally extend to the Canarese Ports the provisions of the Port Dues Act (No. XXII. of 1855.) At Aden the old rate at which the Port Dues used to be levied was insufficient for the purposes for which it was collected; the Harbour Establishment Fund had consequently become burthened with a debt of Rupees 21,000. Act IV. of 1863 doubles the old rates, making the charge two annas for every ton of burden, the same as that now levied at the Port of Bombay, and only half the rate levied at Calcutta, Kurrachee, and certain other ports.

62. The fourth Bill is of similar character to the first and tenth, and was passed as Act No. I. of 1863. This Act legalises the rules under which Pilotage fees had before its enactment been exacted on the Indus, and indemnifies the officers who had been carrying out those rules.

63. The second Bill was suggested by the introduction into the Council of the Governor of Bengal of a similar measure for that Presidency. The opinions of the Chamber of Commerce in Bombay, and of the Revenue Commissioners for the Northern and Southern Divisions, were therefore invited on the necessity and advisability of making applicable to Bombay the provisions of the Calcutta Bill. The answers in both cases were favourable to the project, but some alterations were recommended by the Commissioners. In accordance with their recommendations the Bill was framed. Eventually, however, it was withdrawn because a general Act on the same subject was passed by the Government of India.

64. The third Bill became law as Act II. of 1863, and may be regarded as one of the most important legislative achievements of the year. Act XI. of 1852 had provided for the settlement of alienated lands by the operation of the Inam Commission, which sought to effect the required settlement by a careful scrutiny of each individual claim. The slow progress of such a mode of settlement was found to be a great evil, and in 1859 a proposition was made to the Government of India by that of Bombay to offer a

Financial and Commercial Legislation.

new and summary settlement to the holders of unadjudicated Inam lands. The Inam holder was to pay a light quit-rent and a Nuzzurana or succession duty. In return he was to hold his land as any other private property is held, to enjoy the privileges of adoption and of transfer by sale or otherwise, and to be free from all further inquiry into title. The Government of India generally approved of the proposition, and in 1860 the Principal Secretary of State for India gave the sanction of Her Majesty's Government to the preparation of an enactment which should legalise the proposed arrangement. In 1861 a bill proposing such an enactment was introduced into the Legislative Council of India, and passed a second reading. But the India Council's Act having come into force, the Bill, as being of a purely local nature, was returned to be discussed in the Bombay legislature. The delay was of no practical moment, the scheme having been given effect to by local officers in anticipation of eventual legislative sanction.

65. Act No. II. of 1863 being only adapted to take up the work of the Inam Commission was consequently only applicable to the districts subject to the operation of Act XI. of 1852, the Act by virtue of which the Inam Commission had been working. That Act did not apply to Guzerat and the Concans, which had remained under Chapters IX. and X. of Regulation XVII. of 1827, and Regulation VI. of 1833. It was therefore thought advisable to legislate for them separately. The fifth Bill was accordingly brought in, being passed as Act No. VII. of 1863, and extends to the alienated landholders of Guzerat and the Concans similar advantages with those which Act No. II. of 1863 confers on the same class of proprietors in the districts which were subject to the provisions of Act XI. of 1852.

Deccan, South Maratha Country, and Khandiesh.

66. The seventh Bill is better known as the "Cotton Frauds" Bill. It was introduced with the view of checking the adulteration of cotton, to inquire into which subject a Commission was appointed by Government. The Commissioners in their report say—"We have ascertained beyond doubt that the adulteration of cotton is a great and growing evil; that it has attained during the past year an extent and importance never before reached; that in some districts it is openly, systematically, and universally practised; that in Broach particularly it has been encouraged by the withdrawal of the Government inspection at the time of shipment, which was for many years practised there with most beneficial results; and that the law as it now stands has utterly failed to check it.

"It has been proved beyond a doubt that in Guzerat it has been the custom systematically to adulterate cotton by the admixture after cleaning of kuppas, sand, stone, and other rubbish; that in the Southern Maratha Country, New Orleans seed cotton in its pure state is hardly ever allowed to

Financial and Commercial Legislation.

come to market; and that in Bombay itself establishments exist for the purpose of mixing the superior cotton of this Presidency with those of inferior quality, as well as with the short-stapled cottons of Bengal and China, which have latterly been imported for the purpose.

"The evil has been found to be so great and wide-spread that in our opinion nothing but energetic action of Government will suffice to check it, the existing laws have been proved to be insufficient, and additional legislation seems, therefore, to be imperatively necessary." The Bill was passed as Act IX. of 1863.

67. The sixth Bill, for the Re-incorporation and Re-constitution of the Bank of Bombay, was necessitated by the new arrangements consequent on the withdrawal, in pursuance of Act XIX. of 1861, of the Bank's privilege to issue Bank Notes payable to bearer on demand, and upon the transfer of the Bombay General Treasury to the Bank, and the acceptance by the Bank of an agency of issue, payment, and exchange of the Government Notes, payable under the Currency Act, in accordance with the provisions of Act XXIV. of 1861. The Bill was passed as Act X. of 1863.

POLITICAL.

SATTARA.

Sattara.

THE formation of Sattara into a regular zillah is the only event of importance in which a change has taken place in the relations between Her Majesty's Government and the political dependencies of the Presidency of Bombay.

2. The chief holders during 1862-63 of political appointments in subordination to the Government of Bombay were about 60 in number. Some of these, however, were also holders of office in the regulation zillahs.

KOLHAPORE.

Kolhapore.

3. The Rajah of Kolhapore has been granted a sunnud, which confers on him the right of adoption. The transfer to the Rajah of the complete administration of his principality, a measure resolved on in consequence of his loyal and able bearing during the troubles of 1857, and commenced in the course of the official year 1861-62, had been very gradually conducted, and was hardly complete at the close of the year under report. His Highness made a donation of Rupees 1,000 to the Lancashire Cotton Fund. An aqueduct was in course of construction at Kolhapore, which was expected to supply drinking water to a portion of the increasing suburbs of that town.

THE SOUTHERN MARATHA COUNTRY.

The Southern Maratha Country.

4. The Political Agent for Kolhapore is also Political Agent for the Southern Maratha Country. He gives a good account of the administration of the minor States of Wishalgur and Bowra. Of other States, little calling for remark is reported. At Jorgul affairs are not satisfactory either as respects finance or police.

CUTCH.

Cutch.

5. From Cutch Captain Shortt reports that towards the end of the monsoon locusts made their appearance from the east and north. They continued doing more or less damage to the end of the year. Tindals of

Cutch.

vessels from Muscat and Aden say that in returning from those places after the monsoon they found the sea covered with dead locusts for some hundreds of miles from Mandavee. The close of the monsoon was also marked by a severe storm accompanied with rain, which was followed, as is customary in Cutch, by prevalent fever.

6. The estimated revenue of the year ending the 20th of June 1863 is in korees 4,670,223, a larger sum than has been before reached. Part of the increase is due to a duty of 5 per cent. *ad valorem* on all exports. The comparatively large number of 25,750 people emigrated during the year. A number of them were artizans and workpeople who went mostly to Sind.

7. Of the Judicial Returns from Cutch it may be mentioned that 40 instances of suicide are recorded, five cases only being of persons who belong to castes in which suicide counts as a religious act. The most common cause registered is "bodily ailment," generally "fever."

8. All the more serious crimes committed in Cutch are, it is stated, disposed of by the caste Punchayets. Judicial inquiries not conducted by these bodies devolve upon the farmers of revenue, whose farms are rarely of greater duration than the period of one year.

9. Improvements of the harbour of Mandavee, the principal port of Cutch, are, it is said, checked by the selfishness or foolishness of the merchants. These obstructives are, perhaps, shipowners as well as merchants, since they are stated to fear the competition of a larger class of shipping should the approaches to the port be improved. Cotton screw-presses have been introduced into most of the ports, and cleansing gins have been ordered.

10. The authorities are not reported to take much interest in education; but during the year under report His Highness had personally examined the two principal schools, those at Bhooj and Mandavee. His younger brother, Prince Humeerjee of Tera, had opened a school on the Government plan in his own talooka. The Rao promises to establish a school at Anjar, the third town in the province for importance and population. Mr. Jetta Shunker, the Head Master of the Bhooj school, and formerly a student at Elphinstone College, informs the Agent that some demand is springing up for books and cheap literature in the vernacular, a demand "which certainly never existed before."

11. A practical gauge, however, of the real standing of Cutch in intelligence, may perhaps be the progress making by vaccination. Only seventy-nine persons were vaccinated during the year under report. The supply of lymph failed, and all attempts made to introduce fresh lymph also failed. Endeavours were making at the date of report to propagate lymph, by "getting a child over from the Kattywar side of the Gulf from which to carry it on, but the season is against it."

REWA KANTA AND PUNCH MAHALS.

Rewa Kanta and Punch Mahals.

12. From the Punch Mahals it is reported by Lieutenant Colonel J. T. Barr "that the increased revenue this financial year will amount to 35,000 and 40,000 rupees, and whilst this increase is secured, the prosperity of the districts which yield it is progressing in equal ratio, security of life and property being enhanced, and lands, waste for ages, being brought under cultivation."

13. In the native States of this agency civil law is administered by the Chiefs themselves, the Political Agent disposing only of cases between chief and chief. Of such cases none of importance came before him during 1862. In the criminal courts of the Rewa Kanta only 23 individuals were tried, of whom 17 were convicted. In those of the Punch Mahals 2189 were tried, of whom 1502 were convicted. Of the convicted 1209 were punished by fines, 279 by imprisonment for one year and under, 10 by imprisonment for from one to ten years, 2 by flogging, and 2 by transportation beyond seas. In addition to these, 1023 persons were brought to trial before chiefs having the power to exercise jurisdiction; 786 of those thus tried were punished by fines, 14 by imprisonment for one year and under, 5 by imprisonment for life, 2 by flogging, 2 by transportation beyond the State limits, and 1 by imprisonment for more than one and less than seven years. The number of punishments inflicted in the Rewa Kanta and Punch Mahals (2384) exhibits an increase over the number (2134) for 1861. The severity exhibits a decrease. In 1861-62, 5 persons were punished by death. Of the Statement of Crimes committed during 1862-63, it may be noted that 102 cases of adultery are reported. There were 32 cases of murder, attempt at murder, and culpable homicide; 47 cases of robbery and dacoity, 12 cases of injury or annoyance offered to supposed witches, 4 cases of kidnapping, and 4 of bribery.

14. The Police Department of this agency has been separated from the Judicial; and placed under the charge of the Superintendent of Police.

GUZERAT.

Guzerat.

15. In the early part of this year His Highness the Guicowar terminated the tour commenced in the preceding year through Kattywar. His Highness has adopted measures for improving the land revenue system of Kattywar, measures which involve the relinquishment of farms. A revenue survey has been commenced, and in place of the numerous and arbitrary exactions from the land which formerly prevailed, a moderate cash payment has been fixed. Funds have been also devoted to the improvement of the Police establishment.

Guzerat.

16. The opening up of the dense and unhealthy jungle called the Gheer has been commenced, by the sanction of a road running from the town of Dharee to the coast at Korinara. The works have been checked, however, by the severe sickness which attacked the workpeople.

17. Similar benefits have been the result of a subsequent tour made in the year under report by His Highness, which lasted from November to the following February, and which embraced the northern districts of Kurree, Beejapore, Burnuggur, &c. In these districts, as in Kattywar, the result has been the improvement of the police and revenue systems. The Resident is happy in being "able to report that the old practice of this durbar of farming out the Land Revenue to the highest bidder has been almost entirely abolished, and the result has been already deemed most satisfactory by the Guicowar Government."

18. Among public works is noted a completed tramway, twenty miles in length, and connecting the town of Dubhoee with the Railway at the Kurjun station. At present the road is worked by cattle power, but two small engines have been ordered out from England for it. Before the construction of this road the town of Dubhoee was annually shut out from commercial communication with the rest of the world from the first fall of rain at the commencement of the monsoon until the month of October. A substantial macadamised road would, from the nature of the soil, have cost as much as the tramway, and not have been self-supporting. In this latter respect the superiority or equality of the tramway has, however, yet to be tested by experiment.

ADEN.

Aden.

19. The Judicial Returns from Aden present no unusual features. An increase of offences against the person is accounted for by the existence of a faction feud between the Somalies at the port. An increase in the number of petty thefts is also ascribed to the same class of the community. The Police establishment had been reduced below its necessary strength in the preceding year.

20. The trade of Aden presents an increase over the preceding year both in imports and exports. The total value of the imports, including Treasure, for 1862-63, was Rupees 54,18,163, being an increase over those of 1861-62 of Rupees 4,49,858. The total value of exports was Rupees 34,99,1[illegible], showing an increase of Rupees 2,07,851. The largest imports were of coffee to the value of Rupees 13,48,900. The largest exports were of coffee, to the value of Rupees 7,99,312. The imports of piece goods were more

over a lac in value than the exports, the first being estimated at Rupees 8,58,192, the second at Rupees 7,15,280. Aden.

21. It is reported that the trade with the Red Sea ports, and the direct import trade into Arabia each exhibit an increase for 1862-63. The whole value of the sea and land trade of the port is estimated at Rupees 1,25,60,499, which exhibits an increase over last year's return of Rupees 13,44,935. The tonnage and nationality of the square-rigged vessels coming to Aden are shown by the following list:—

	Vessels.	Tonnage.
British	166	158,402
French	16	22,079
American	4	4,151
Bremen	1	684
Arab (Country Craft)	929	35,237
Total	1,116	220,553

22. Of Revenue it is reported that the proceeds of the Income Tax exhibit a decrease on those of the preceding year,—a result attributable to the exemption of traders whose profits are under Rs. 500. The Stamps sold yield Rupees 4,345-14-5, an increase on 1861-62 of a little more than 900 Rupees. The entire receipts of the Aden Treasury amounted to Rupees 15,07,480, and the disbursements to Rupees 15,20,425.

23. In the Engineer's works, as long ago in the civil department, contract labour was adopted, greatly to the advantage both of the natives of adjacent Arabia and of Government. The saving to the State is estimated at forty per cent. on the work done as compared with the cost of the same work performed by labour imported from India. "The contractor employed daily on an average five hundred unskilled Arab labourers, and about one hundred masons, carpenters, &c."

24. Hospital accommodation at Aden is said to be defective. There was no small-pox hospital. The European General Hospital at Steamer Point had been made over to the European Infantry, and no consequent provision had been made for the wants of the class for the benefit of which that hospital had been established.

25. Nothing had been done to restore the remainder of the dilapidated reservoirs. Some of them have been made over "to three leading merchants of Aden, who are willing to undertake the work on their own account." They had already repaired three of the tanks, and were partially rewarded by the fall of rain which occurred on the 3rd of May.

26. The Resident "cannot endorse the certificate of praise awarded in the report of the preceding year to Captain Fuller's bunds." It is true

Aden.

they keep out *débris*, but unfortunately they also stop the flow of water, and during the last shower, when the upper or No. 1 Tank ought to have been filled, it did not receive one-fourth the expected quantity, the water being stopped by the bunds above and lost by absorption.

27. The balance of profits from the Aden Post Office is Rupees 1,522-6-6, the whole receipts being Rupees 20,914-11-6. A sum of Rupees 4,000 was sanctioned some years ago for providing a suitable Post Office and residence for the Postmaster at Steamer Point, but nothing has yet been done towards providing such buildings.

28. The vessels of the Indian Navy having been withdrawn, "the naval duties of this station and the Red Sea devolved upon the Royal Navy, which supplied one steamer, the *Pantaloon*, for their performance." A small schooner, the *Fanny*, and a steamer, the *Victoria*, had been placed by the Bombay Government under the Political Resident for general purposes. The *Fanny* was employed exclusively in carrying troops and military stores between Aden and Perim. The *Victoria* discharged various duties.

29. The new church at Steamer Point, it was expected, would be completed by the end of the year. About 3,000 Rupees were still required for the fittings, &c.

30. Political relations were in a most satisfactory condition. No quarrel or difference of any kind had taken place with any of our neighbours either on the Arabian or the African side. The Arab tribes were unusually peaceful amongst themselves. The neglect on the part of the Aden Government of an obvious and necessary courtesy, says the Resident, gave rise in November to some apprehension of an attack from the Foudelie. The alarm was otherwise unfounded.

31. Ali Mahasin, the Sultan of Lahej, died on the 17th April 1863. His successor was his eldest son Foudel. Every member of this family is reported to be well-disposed towards the British Government.

32. At the close of the year the Resident visited Obokh. One motive for this visit was a desire to decide the existence of any such place westward of Ras Bir. Captain Barker, a Surveyor of eminence, had reported to the Admiralty that there was none. The Resident found the place, however, near the spot marked by Captain Barker "good fresh-water." The harbour is not easy of access, and is exposed to the southerly winds. The anchorage is limited, and the bottom very irregular. As a settlement, the only advantage of the place is a command of good fresh-water. The French had neither establishment nor *matériel* there, and though they had paid the Sultan of Ruheita 5,000 dollars, half of the covenanted price, it appeared highly improbable that they would complete the purchase.

SAVANOOR.

Savanoor.

33. The death of the Nawab of Savanoor, Abdool Duleel Khan, took place in the course of the year under report. His Highness's eldest son, Abdool Kheir Khan, has been duly installed.

34. The late Nawab, three years ago, gave each of his sons one or two villages on lease. The villages were relet on lease, at somewhat higher rates, by the princes, and the ryots complained of inability to pay the rents enacted by these leases. It was asserted that these complaints had been incited by the Dewan, Mahomed Ghous Khan, whose object was to have the entire management of the revenue in his own hands, and who was said to wish to have the leases set aside. In consequence, His present Highness had communicated a wish to replace that minister by Abdool Mujjeed Khan, one of His Highness's own brothers.

35. On his side the Dewan reported in January 1863 that the Nawab was out of his mind, and that his brother took advantage of this to oppress his subjects; but the Assistant Collector, having visited the Nawab, thought there was no reason to suppose that the Nawab was insane. The Dewan's allegations ultimately degenerated into a charge of extravagance.

36. As the rate complained of by the ryots have been in force for three years, and have not been before complained of, the Assistant Collector thought it probable that the Dewan had instigated the complaints. Finally, the Nawab promised to arrange matters satisfactorily, and the Assistant Collector hopes to have no more complaints on the subject.

SURAT.

Surat.

37. The Agent for the Honorable the Governor at Surat reports that Sunnuds had been conferred on the three native Chiefs under the control of the Surat Agency granting them the right of adoption and permanent succession.

MAHEE KANTA.

Mahee Kanta.

38. In the Judicial returns from the Mahee Kanta boundary cases form the most noticeable class of suits. Only seventeen new cases were entered on the files during the year, but 55 unsettled cases remained over from the preceding year. Out of the total number thus standing for adjudication only 27 were disposed of before the close of the year under report. The total number of civil suits settled during the year was 1019. Other 944

Mahee Kanta.

remained over to be settled in 1863, 732 having been left from 1861. An increase in "suits for fields" is ascribed to the high prices of grain and the growing demand for land. 165 such cases were filed within the year, and 115 had been left remaining from 1861.

39. The criminal returns exhibit a marked decrease on those for 1861, but from acts of violence, however, it is reported that 22 lives were lost, and 38 people wounded during 1862 against 14 lives lost and 40 persons wounded from similar causes during 1861. 24 cases of gang robbery are recorded.

40. The vaccination returns show a falling off from the preceding year. 5332 persons were vaccinated in 1862 against 8255 in 1861.

41. With the progress of education no dissatisfaction is expressed. A school-house has been built by the Maharajah of Edur at Sadra; twenty-three sons of petty chiefs and shareholders of villages attended. The Political Agent in person examined five schools in the month of October, when prizes were distributed to the most deserving scholars. He also attended a school examination at Edur, where 125 boys were present.

42. The Thakoorranee of Mansa seems not to have given satisfaction. The Agent quotes the character given of her by his predecessor, who described her as "extravagant, extremely violent, headstrong, and imperious." "Complaints have been received against her and her brothers from the widows, bhayad, and even ryots." "The attendance of the young Thakoor at school has been most irregular." The Thakoorranee has been recommended to take into her council two or three respectable persons of the town of Mansa. It has been also intimated to her that "she would be expected to send her son, the young Thakoor, to school."

43. A dispute between the Thakoor of Satumba and his bhayad and other coolies threatening a breach of the peace; the Agent interfered. The complaint of the coolies was that a "tax imposed on the bhayat and coolies, although a temporary one, was being continued after the justification (the expenses caused by an insurrection which took place in 1838) had ceased to exist." On the part of the Thakoor it was alleged that the tax was not temporary in its origin, and "that those who paid it, paid it on Talookdar's lands which they had taken possession of, after selling what they, as the bhayad, had a right to cultivate free of tax.

44. The Agent reported that the tax was a temporary one, that the attachment should be removed, and that the Thakoor should receive no assistance in collecting taxes except on lands belonging to him.

EDUR.

Edur. 45. The Maharajah of Edur is reported to take an interest in education, and to have built a school-house at Edur. During the year under report he visited Bombay and Poona, since his return whence he has laid out about 76 miles of road. But the neglect of the Maharajah, after remonstrance, to inquire into some cases of suspected infanticide, has led to the communication to him of the dissatisfaction of the British Government.

46. The Political Agent reports the restoration of two villages by the Maharajah of Edur to one Raja Singh, the Thakoor of Joonawarra. These villages had been appropriated so far back as 1843 for non-payment of customary dues. Government has expressed its satisfaction at the restoration.

47. A bad feeling between the Thakoor of Medasun, who is a Puttawut of Edur, and his eldest son, had called in 1861 for the conjoined interference of the Political Agent's predecessor, the Maharajah, and a punchayet. Their efforts going for nothing, the present Political Agent reports further complaints to himself from the parties in dispute, and further interference on the part of the Maharajah. The results are substantially the same as before. The eldest son is now in Jodhpoor seeking for service.

48. The Maharajah is also reported to claim jurisdiction over a district called the Jarecha Putta, and to have been called upon by the Political Agent for "any proof he might have of jurisdiction." Such proofs he has not produced. The case has been reported. Meanwhile the Political Agent has been endeavouring to effect an amicable settlement between the Maharajah and the chiefs of the district.

49. The "international Punchayet" for the settlement of disputes and compensation claims was not convened in the year 1862.

50. The Political Agent has received 16,936 letters during the year and despatched 16,949, both numbers showing an increase over those of the preceding year. The number of letters received in 1860 was only 11,214, and of letters sent only 11,214.

CAMBAY.

Cambay. 51. The position of the state of Cambay is peculiar. No treaty between the Nawab of Cambay and the British Government is in existence, and the relations between the two Governments have never been defined by any agreements. The government is not reported very favourably of, the Nawab leaving the whole administration in the hands of his ministers. Since the opening of the Guzerat railway, Cambay, which was formerly

Cambay. used as a sanitarium, has been entirely deserted by Europeans, and is now never visited, save on one or two occasions in the year, when Government Officers are called thither on matters of business.

KATTYWAR.

Kattywar. 52. The total area of Kattywar is 22,500 square miles, of which 21,000 are under the British Agency. There are at present 379 separate political and judicial jurisdictions under the Agency, and sixty more are claimed. The gross total income of all the Chiefs and Zemindars is estimated at Rs. 86,51,200, and the annual collection made by the British Agency amounted last year to Rupees 11,81,140. Of these collections Rupees 3,10,000 are made for His Highness the Guicowar, Rupees 64,500 for His Highness the Nawab of Joonaghur, and Rupees 83,270 on the behalf of Local Funds. For the British Government Rupees 7,23,370 were collected. The present Agent had as Assistants at his disposal, at the close of the year under report, five European officers.

53. Of the criminal returns for 1862 sent up from Kattywar it is said that they do not attain even approximate accuracy. The judicial administration is distributed among the chiefs and landholders on the one part, and among the executive officers of the British Agency on the other; but as landed property is equally divided among brothers, and as the possession of each share of territory confers on the possessor judicial and administrative prerogatives more or less complete, the consequence has been an immense multiplication of the class of landholders who possess criminal jurisdiction. What these separate jurisdictions are will best be estimated from the following account of them :—

"There are five substantive States on which Government have conferred first class criminal jurisdiction; and eight smaller States with second class criminal jurisdiction.

The remainder of the province is divided amongst—

1	person who has 60 towns and villages.		
3	persons who have respectively 38, 40, and 41 towns and villages.		
2	Do.	do.	25 each.
4	Do.	do.	from 15 to 20 villages each.
17	Do.	do.	from 10 to 15 each.
26	Do.	do.	from 5 to 10 each.
12	Do.	do.	4 villages each.
13	Do.	do.	3 do.
16	Do.	do.	2 do.
103	Do.	do.	less than 2 villages each.
150	Do.	do.	do. 1 village each.

Kattywar.

"This is exclusive of the State of Jaitpoor, which consists of a very large number of villages so intricately divided among 18 principal shareholders that no classification is possible."

54. There are probably sixty other persons besides those in the list given who claim separate jurisdictions. Nearly all the smaller estates will be again subdivided on the deaths of their present owners.

55. This state of things in Kattywar leads, of course, to very considerable maladministration of justice—an evil which up to the close of the year under report the British Agency had failed to correct. Life and property is declared to be generally unsafe. The cultivators mostly live in large towns, which are surrounded with fortified and carefully preserved walls. There are very few small villages. The inhabitants of the country generally carry arms, and swarms of mercenaries—Arabs, Mukranees, Sindees, and Beloochees—are met with round every town. At the close of the year under report, however, proposals had been already submitted to Government, which had for their object such a reconstitution of the Agency staff, and of the general principles of the Agency policy, as might make it possible to put a period to the disorders that have so long afflicted the country.

SIND.

Sind.

56. For the amelioration of the Courts in Sind a scheme, approved by the Bombay Government, was at the date of report still under consideration at Calcutta. The object of the scheme is to relieve the Deputy Magistrates and Kardars of civil judicial work, and the establishment of Moonsiff's Courts. In conformity with the principles of the scheme, Magistrates had already ceased to exercise judicial power in civil cases, and the office of Judicial Deputy Magistrate had been converted into that of District Judge.

57. For 1862 the total number of original suits and of appeals brought on the file, or left standing from the preceding year, was 8222, having a value of Rupees 8,17,448. The same return for 1861 exhibits 12,379 cases, valued at Rupees 8,55,232.

58. The following table exhibits the duration of suits and appeals in days :—

	Kurrachee.	Hydrabad.	Shikarpoor.
Judges	Not given.	47	487
Magistrates	119	617	179
Deputy Magistrates	59	231	179
Kardars	28	4	48
Moonsiffs	24	4	19½

Sind.

59. In the above table it will be noticed that the returns from the Frontier and from Thurr and Parkur have been omitted. Of Kurrachee, it may be remarked that the returns for 1861 show 419 days as the duration in the Judge's Courts; in those of the Kardars for the same year the duration was 5.

60. The work done in the Small Cause Court and in the Commissioner's Court may be thus shown :—

	Suits Filed and in Arrears.	Decided.	Value.	Appeals Filed and in Arrears.	Decided.	Value.	Duration in days of Suits and Appeals.
			Rs. a. p.			Rs. a. p.	
Small Cause....	2248	1809	....	..	..	....	....
Commissioner..	11	8	2,126 6 15	32	19	27,430 6 6	163¼

61. The Small Cause Court was only at work for a few months of 1861. The work done during that year in the Commissioner's Court differs chiefly from that done during the year under report in the value of original suits filed and in arrears. Under this head, 1861 shows Rupees 15,170-11-0 against the 2,000 and odd rupees of 1862.

62. The Code of Criminal Procedure was introduced into Sind in October 1862. The returns of crime exhibit a comparative preponderance of the grosser offences. The following table contrasts the principal results of 1862 with those of 1861. In it those offences are particularised only which may be taken from their comparative number to mark the social condition of the province :—

	1862.	1861.
Total number of cases tried	14,024	16,004
Convictions.....	9,030	10,363
Acquittals	4,994	5,641
Murder, attempts at murder, and culpable homicide.....	44	46
Assaults, causing hurt, grievous hurt, or hurt under aggravated circumstances	1,916	4,330
Rape and unnatural offences	45	14
Theft or misappropriation of cattle, aggravated theft, extortion, robbery, or theft preceded by burglary.....	1,905	1,955
Adultery, and enticing away a married woman..	45	29

63. It is alleged by the Officers of Police that the mounted force has been reduced to below the necessary strength for the detection of crime. An increase has been recommended by the Commissioner. Arrangements are also making for filling the ranks of the town police with a better class of men than is now employed. The Sind Police at the date of report numbered 3349, and the cost stood at Rupees 6,21,612. The average daily number of prisoners confined in the Sudder Jail was 1496. The number of deaths in jail which occurred during the year was 43. The Marshall of the Kurrachee Jail had been detected in embezzling public money, and was prosecuted to conviction. A consequent examination of the jail accounts ascertained the whole loss of Government to be Rupees 12,637-2-2. In the course of the investigation it was discovered " that many prisoners were in jail without warrants, and that in more than one instance persons had been detained in jail for months after their sentences had elapsed." The jail was at once taken out of the charge of the Police and placed under the Senior Judge. A recurrence of similar irregularities is unlikely. To prevent their occurrence elsewhere, the other Sudder Jails have been placed under the Session Judges.

64. A subsidiary jail which was established at Sukkur to supply labour to the Public Works Department failed from want of sufficient supervision, the other duties of the supervising officer necessitating his absence for long periods.

65. The Land Revenue of the province for 1862-63 (Rupees 38,32,725) exhibits an increase of Rupees 2,72,274 over the revenue of the preceding year. Yet in many districts great damage had been worked by inundations and locusts.

66. The items of Sayer Revenue amount to Rupees 12,40,933, which surpasses those for the preceding year by nearly ½ lac of rupees.

67. The Customs Revenue, on the contrary, presents a decrease to nearly the same extent. The total receipts are stated to amount to Rupees 5,55,783-5-6, being less than those of 1861-62 by Rupees 1,00,817-13-6. The sea-board trade has increased, however, by more than two lacs and a half. The imports for 1862-63 were worth Rs. 2,24,28,184 against Rs.1,59,36,702 for 1861-62, and the exports Rs. 3,28,75,942 against Rs. 1,37,28,842.

68. The following table contrasts the principal items :—

Increase.	*Decrease.*
In Imports—	In Imports—
Of Apparel.	Of Piece Goods.
„ Books.	„ Railway Materials.
„ Stationery.	„ Thread.
„ Coffee.	„ Dyes.

Sind.

Increase.	*Decrease.*
In Imports—*continued.*	In Imports—*continued.*
Of Twist.	Of Spices.
,, Yarn.	,, Woollens, and
,, Drugs.	,, Tobacco.
,, Dry fruits.	In Exports—
,, Ivory and Ivoryware.	Of Salt.
,, Machinery.	
,, Metals.	
,, Raw Silk.	
,, Spirits, and	
,, Timber.	
In Exports—	
Of Cotton (1,007 per-cent.)	
,, Grain (104 per-cent.)	
,, Seeds (108 per-cent.)	
,, Wool (38 per-cent.)	
,, Cashmere Shawls (124 per-cent.)	
,, Raw Silk (16 per-cent.)	

69. The decrease in the imports of piece goods is attributed to the large stocks in hand of the previous six years' imports. Traders had been unwilling to purchase at the high rates ruling. "It is worthy of note that prior to 1860 cotton did not form an item of the export trade of this province, but, on the contrary, was an article of import." In 1861-62 the value of cotton exported was Rupees 11,91,964. The increase in the value of the direct exports to Great Britain is 151 per-cent. The direct exports to the Continent of Europe have also increased in value by more than three lacs and a half of rupees.

70. The Tonnage entered inwards at Kurrachee during the year under report amounted to 62,405½ tons against 56,828¾ tons during the previous year. On the River Indus the number of Arrivals registered at Khetty show an increase of 403 boats over the number for 1861-62. The following table compares the Arrivals and Departures together with the Imports and Exports entered at the same place during the two years 1861-62 and 1862-63 :—

	Imports.	Exports.	Arrivals.	Departures.
	Rs.	Rs.		
1861-62.....	41,24,072	12,73,670	3,992	3,897
1862 63.....	34,35,158	6,79,653	4,395	4,315

The River Conservancy and Registry Department reports having removed about 1100 snags or sunken trees from the channel of the river.

71. Education in Sind has started from recent and small beginnings. The Government English teaching schools that were open during the year were five in number. One of them was closed before the end of the year on account of the small attendance at it. The whole number of scholars in attendance during the year was 314 between 4 schools, against 293 in 1861-62 between 5. The independent English teaching schools of the province are four in number, two receiving grants-in-aid from Government. Their aggregate average daily attendance is given at 256. All the Government English schools were examined during the year and found to be in a not unsatisfactory condition; but Sind seems to be yet unable to properly appreciate the advantage of an English education. There is said to be no "demand" for English teaching schools in towns where there are no European residents. The number of vernacular teaching schools open during the year was 64. They were educating 1995 pupils. Of these pupils 599 are divided between 21 "Municipal" schools, 307 between 7 "Government" schools, and 584 between 10 schools described as partly supported by Government. The remainder are distributed between "Jagheer" schools and "Indigenous" schools. Of "Indigenous" schools there would seem from the returns to be only three in Sind, which must be called an extraordinarily small number. Normal classes have been established at Sukkur and Hydrabad. The principal of them, that at Hydrabad, is not favourably reported on. On its success, under better management, the Educational Inspector bases all his hopes of any improvement on the present unsatisfactory condition of the mass of vernacular schools.

72. In Public Works the allotment from all sources for expenditure in Sind amounted to Rupees 17,01,051. The total amount actually expended was Rupees 16,12,083.

73. This expenditure was distributed as follows:—

	Rupees.
Marine Works	5,70,660
Agricultural Works	4,47,670
Departmental expenses of direction and construction	2,40,677
The improvement, creation, and preservation of communication	2,27,846
Revenue Department	29,742
Army	29,723

	Rupees.
Judicial	22,300
Miscellaneous	3,283
Government House, Residencies, Public Departments, and Charitable Institutions	3,097
Naval	2,059
Municipal	1,725
Ecclesiastical	1,650
Educational	598

74. Of the works on account of which this expenditure takes place, the most considerable are those connected with the Harbour improvements at Kurrachee, and the improvement of the Indus navigation at Sukkur.

75. The line of railway between Kotree and Kurrachee was seriously damaged by the heavy rains of June and July.

76. The traffic return is as follows:—

Miles open.		Rupees.
105	Coaching	1,53,051
	Merchandize	7,08,112
	Total	8,61,163

77. A want of rolling stock is declared. This want has not been found, however, great enough to deter traders from using the railway, and will, it is promised, be speedily supplied. Arrangements have been made to facilitate the interchange of rail and river traffic at Kotree. A particularly favourable account is given of the trade which is attracted by the railway from Central Asia by way of the Bhootan Pass. The transit of pressed cotton from Ferozepoor was looked upon with satisfaction as being likely to increase, but doubts are expressed as to whether any cotton pressed up-country by other than Europeans or their agents would be saleable at Kurrachee, where the cotton presses of Nicol and Co. are already in operation.

78. An extension of the railway at Kurrachee itself—the Keamaree extension—is being carried out by the Harbour Works Department.

79. The roads in Sind are of four classes—first, those bridged throughout, cross-drained, and cleared; second, those partially bridged, cross-drained, and cleared; third, those cross-drained and cleared; fourth, those that are cleared only. No roads are deseribed as being metalled. Roads of the first class cover 576 miles, and seem to be confined to the Collectorate of Shikarpoor. Of the second, third, and fourth classes, the mileage is respectively 495, 534, and 2,637¼.

80. For ordinary canal clearances during the year Rupees 3,96,296 were allotted. Among new works undertaken, completed, or in progress, the

Sind.

Mitrow Canal is the most important. This canal, which will be ultimately 96 miles in length, is now open for 53 miles, with the best effect.

81. The Post Office authorities have put Sind in communication with the Guzerat Railways by laying a mounted dawk line, 248 miles in length, between Hydrabad and Sooergaum. A double line of telegraph has also been constructed along the Mekran Coast between Kurrachee and Gwadur, a distance of 409 miles. This is part of the project for direct telegraph communication with England, and was only commenced on the 11th June 1862. Its successful and speedy completion is mainly due to Mr. Izaak Walton. Nothing could well be more difficult than the country through which Mr. Walton has carried this line of telegraph, and nothing could well be more perfect than the way in which he has overcome those difficulties. The entire work has been brought to an end without one collision between the workmen engaged in constructing the line and the marauding tribes that infect those parts of Beloochistan, nor has one single complaint been preferred by any native of the district against the work itself or against the conduct of those engaged on the work.

Ecclesiastical.

82. The want of a chaplain is much felt at Shikarpoor and Jacobabad, there being none between these places and Hydrabad.

83. During the year under report the internal tranquillity of Sind was almost unbroken. A raid was made in August by some mounted Mussoorees on the extreme east of the Sind frontier. The marauders were carrying off a large number of camels when they were overtaken. Nine of the party were killed, and all the camels recovered. In a subsequent inroad by the same people (Mussoorees), two men of the Korah tribe, a tribe in British pay as frontier guards, were slain. Subsequently our outposts were strengthened, and tranquillity preserved. In March, Major Henry Green, C.B., made a progress with a portion of the Frontier Field Force through the Boogtee tribes. Major Green's reception by the chiefs and their followers was most friendly. The conciliatory measures adopted by Major Green, and the simultaneous demonstration of force, had together the happiest effect. The chief event of external politics was the revolution in Khelat, where Khodadad Khan, the ruler of that place, attacked and wounded by his cousin Sheer Dil Khan, took refuge with the Naib of Kedj. Meanwhile Sheer Dil Khan, without opposition and without bloodshed, made himself master of Khelat and its dependencies.

84. Agriculture in Sind is generally in the same state as before. Of a portion of that part of the collectorate of Shikarpoor which lies on the left bank of the Indus the settlement survey report is that the land "is so liable to flood, the soil so impoverished, and the state of the cultivator so degraded,

Sind.

that it would not be practicable to introduce a permanent settlement with any hope of its success." But near Kurrachee a large tract of land was being rented by an enterprizing European firm. The land is to be irrigated by means of windmills, and to grow produce for the European markets.

85. The profits of the Sind Forests for the year under report were nearly a third less than those of the preceding year. This is rather to be attributed to accidental and temporary diminution of demand than to defects on the side of supply, either in material or in management. The settlement survey has been progressing without impediment. In the Kurrachee collectorate the measurement of 75,306 acres, and the classification of 78,324 acres, have been completed. Much work has been carried out in Hydrabad, and important alterations in the method of work introduced. The topographical survey, which is in two parties, has, on the right bank of the Indus, measured about 2,715 square miles, and on the left accomplished the boundary survey of about 1,458·29 square miles, and by triangulation 1,000 square miles.

PAHLUNPOOR.

Pahlunpoor.

86. The Political Superintendent of Pahlunpoor reports frequent disturbances of the peace on the Marwar frontier of his districts. Within the districts crime was comparatively rare. Although inhabited by lawless and predatory tribes, and afflicted with three bad seasons in succession, only three cases involving loss of life occurred in them during the year. Apprehensions and convictions, however, do not bear a proper proportion to cases reported, owing to the prevalence of "the system of equivalents." If the village to which robbers belong pay the compensation amount fixed by a punchayet, the robbers are not brought to trial. But in serious cases, which call for the personal interference of the Superintendent, this system of buying off offenders does not seem to obtain. An arrangement is reported to exist "by which independent officers are at various times sent round to try and glean intelligence as to what is going on, and for the express purpose of checking abuse on the part of the district officials."

JUNJEERA.

Junjeera.

87. Complaints of illegal and unfriendly acts towards British subjects on the part of the Chief of Junjeera have been made within the year under report, and have been under the consideration of Government. In the preceding year a visit of Her Majesty's Steamer *Pleiad* to Junjeera had been found necessary, but has not influenced the after conduct of the Chief. At present his territory is reported to be the receptacle of large quantities of cotton and other goods stolen in transit from one British port to another. Investigation

into the truth of such reports is at present impossible from the Chief's dislike to admit any European or Native officers of Government within his territory. Junjeera.

88. The territory of the Chief of Junjeera contains 390 square miles on the coast of the Southern Concan, besides a seaport and some villages in Guzerat. The Chief himself resides in his Concan territory at the island and fort of Junjeera, some thirty miles from Bombay harbour. His relations to the British Government are defined by a treaty entered into between one of his ancestors and the Honourable East India Company in the year 1733, a treaty in which the British Government is pledged to "perpetual alliance and sincere friendship." It might be a question how far this treaty was superseded by the British succession to the rights of the Peishwa in 1817. In 1791 the heirs to the Junjeera principality had relinquished their right and title in favour of the Peishwas, and part of the price of this cession, a tract of land near Surat, was guaranteed by the English. But in 1817 the cession was still without effect, the Marathas had never obtained possession of the island, and no claim has ever been advanced by the British Government to the rights held by the Peishwa there. On the other hand, again, in 1834, when it was brought to the notice of Government that the Hubshee, that is, the Chief of Junjeera, had established a mint in his fort, it was declared by the Bombay Government "that a petty chief like the Hubshee must be considered subject to the authority paramount in India in all matters which concern the general interest." And accepting this description of the position, the Government of India directed "that the Mint now opened in his (the Hubshee's) territories should be stopped, and that he should be prohibited from coining in future."

89. Later, in 1855, a sepoy in the Chief's service was barbarously mutilated on the Junjeera frontier by order of the Chief, and taken by a native christian, who witnessed the outrage, to the Medical Officer at Alibaug, in the Colaba Sub-Collectorate. The case being brought to its notice, Government immediately addressed the Chief, to the effect that "the British Government had hitherto abstained from interfering in the internal administration of his country in cases in which the interests of his own subjects have been concerned, but that it cannot allow such cruel and barbarous modes of punishment, as this case discloses, to be inflicted, without expressing its strong reprobation and disgust at them. That on any repetition of similar barbarous conduct, the displeasure of the British Government will in a most exemplary manner be manifested towards himself and to all who may be concerned therein." And on a final review of all proceedings in the case, the Home Government laid down that "neither mutilation nor ordeal ought to be tolerated in a country so nearly connected with the British Territories."

LIBRARY OF THE BOMBAY BRANCH ROYAL SOCIETY

PUBLIC WORKS.

Public Works.

THE total expenditure on Public Works for the whole Presidency, including Sind, was Rupees 77,07,140, while the sum available for expenditure was Rupees 81,94,512, to which amount works had been sanctioned. But the difference is mainly due to a change in the system of accounts, by which only eleven months' actual expenditure was debited to the account of 1862-63. A large portion of the unexpended balance belonged to local funds, and would therefore be available in 1863-64. Of the actual expenditure Rupees 11,48,757, or a percentage of 14·9, were consumed in the directing and constructing establishments.

2. The remainder (Rupees 65,58,383) represents the expenditure on Public Works, as distinct from that on the Public Works Department. The last of the sums given above is distributed as follows:—

Description of Work.	Expenditure in Rupees.
Public Improvement	46,01,876
Military and Naval	13,04,760
Civil Administration	3,68,889

3. The most considerable of these three great branches of expenditure is thus made up:—

Description of Work.	Expenditure in Rupees.
A—Works of communication including communication by telegraph	32,03,630
B—Marine Works	8,26,458
C—Agricultural	5,24,387
D—Municipal	47,401

4. Under the head of A, the sum expended on roads and bridges was Rupees 2,99,377, or more than seven-eighths of the whole. On unmetalled roads more than 14 lacs of rupees were spent, on metalled more than 10. These sums do not include the cost of bridges, on which more than 4 lacs additional were laid out. In Sind nearly 45,000 Rupees were laid out on navigable canals. On accommodation for travellers over all the expenditure is stated at Rupees 37,321. The money entered under head B was devoted to Harbour and Navigation improvements, and was mainly spent in Sind. Under C, too, it appears that the largest item, the expenditure on irrigation

Public Works.

canals, more than 4,80,000 Rupees, is mainly due to Sind. A little over half a lac of rupees was spent in irrigation canals out of Sind.

5. Of the 47,000 Rupees expended on Municipal Works, Rupees 14,400 were employed on "Markets" in Sind, and Rupees 9,009 on "Paving and Streets" out of Sind.

6. The officers under whose immediate control and direction the "works" actually done were conducted are 47 in number. The salaries, allowances, contingencies, and establishments of these 47 officers, as charged to the debit of the Public Works Department, amounted to Rupees 10,14,182. What are called the charges of "Direction," Rupees 2,46,579 are distributed over nine other officers, a number made up by four Superintending Engineers of "Circles," a Superintending Engineer of Irrigational works in the Deccan, the Chief Engineer in Sind, the Chief Engineer at the Presidency, the Auditor of Public Works Accounts, and the Secretary to Government for the Public Works Department. The money spent in "Direction" by the Superintending Engineer of Irrigational works in the Deccan (Rupees 12,715) may perhaps be not improperly brought opposite the sum spent in Irrigational Canals by the Executive Engineer of the Irrigation Department in the Deccan, Rupees 13,460, to which no charge for expenditure on "Construction" is to be added. The whole sum expended on Irrigational Canals not in Sind is Rupees 56,194.

Localities or Agents of Expenditure.

7. If we follow the Public Works expenditure to its localities and principal agents, we must subtract from the Grand Total, Rupees 77,07,140, the expenses of Direction, Rupees 2,46,579; this will leave Rupees 74,60,561 to be divided among different places, works, and agents. The principal items appear in the following list:—

	Rupees.
Kurrachee Harbour Works	6,11,808
Sattara	5,47,208
Bombay Harbour Defences	4,47,205
Belgaum and Kolapoor	4,46,447
Poona Districts	4,17,346
North Canara	3,59,420
The Civil Architect	3,23,569
Hydrabad	2,56,404
Dharwar	2,55,485
Ahmedabad	2,36,213
Aden	2,36,138
The Northern Concan	2,21,904
Mhow	2,15,699
Poona and Kirkee,	2,09,794

Public Works.

	Rupees.
Khandeish	2,06,245
Nassick	2,04,416
Agra Road (Beora Division)	2,02,934
Garrison and Dockyard Engineer at Bombay.	1,91,381
Agra Road (Mhow Division)	1,89,652
Sholapore	1,76,219
Ahmednuggur	1,68,324
Surat and Broach	1,45,700
Shikarpoor	1,43,776
Mitrow Canal	1,43,539
Upper Sind	1,16,247
Lower Sind	1,09,107
Nusseerabad and Neemuch	1,03,280

SATTARA.

Sattara.

8. In Sattara the principal work in progress was the new Poona, Sattara, and Kolapoor road, 97 miles of which lies in the Sattara Collectorate. The entire line is new, and, for the distance between Poona and Sattara, will effect a saving on the old line of nearly ten miles. The total expenditure during 1862-63 on this road, inclusive of the bridges, was Rupees 2,70,025.

9. Another important road passing through this collectorate is that from Hyderabad in the Deccan to the coast at Gowulkote on the Chiploon creek. This road between Kurrar and the foot of the Ghauts is bridged throughout, and already bears a considerable traffic. The expenditure on the part of the road within this collectorate during 1862-63 amounted to Rupees 1,17,057.

10. A third important road connects the port of Mhar, on the creek of that name, with the Wurrunda Ghaut, and the roads from the east which meet near there.

BOMBAY HARBOUR DEFENCES.

Bombay Harbour Defences.

11. The principal Harbour Defence works in progress during the year were the Oyster Rock Battery, Cross Island Battery, and Colaba Point Battery. Of the first of these works commenced in October 1862, it is reported that at the close of the year under report high-water mark had been attained, and the progress of operations rendered independent of the tides. The Cross Island and Colaba Batteries were expected to be ready for armament after the close of the monsoon in 1863.

BELGAUM AND KOLAPOOR.

Belgaum and Kolapoor.

12. The most important work going on in the Belgaum and Kolapoor divisions was the new road from Belgaum to Vingorla, *viâ* the Parpoolee Ghaut, on the coast. The length of the line is about 77¾ miles, and the works have been pushed on as vigorously as possible.

POONA DISTRICTS.

Poona Districts.

13. The expenditure in the Poona districts was mainly made on the improvement or creation of lines of communication. That part of the new Poona and Sattara road which lies within the Poona Collectorate is estimated to cost Rupees 2,99,806, and the actual expenditure on it during 1862-63 amounted to Rupees 1,02,782. The work is progressing satisfactorily.

14. Several railway feeders to the G. I. P. Railway in its passage through this collectorate have been proposed by the Government, but until lately have not been taken in hand for want of funds. One such road which crosses the Railway at the station of Kheirgaum, and joins the town of Seroor, on the Poona and Ahmednuggur road, with the old Poona and Sattara road at the Neera bridge, has been under construction, and, for the portion within the Poona collectorate (thirty-seven miles in length), has received the expenditure of Rupees 49,727. The whole length of this cross road will be 56 miles. Another railway feeder from Baramuttee to Khanowteh, 21 miles in length, and crossing the railway at Decksal, was completed in 1862–63. The expenditure on it for the year under report amounted to Rupees 39,683.

15. Of the Poona and Sholapoor road which runs parallel and almost in sight of the railway, it is reported that the traffic on it still continues great enough to warrant metalling the road.

16. The tank at Khandalla has been receiving repairs and improvements which during the year under report have cost Rupees 3,000. Towards all expenses the Honorable Rustomjee Jamsetjee has liberally offered Rupees 7,000, to which the Railway Company was to add Rupees 3,000. By diminishing the area of the public tank at Khandalla the Railway Company had contributed to cause the scarcity of water, which the Honorable Mr. Rustomjee has taken the initiative and the largest share in attempting to supply.

THE CIVIL ARCHITECT.

The Civil Architect.

17. The principal works under the Civil Architect during 1862-63 were the widening of the Apollo Pier, the reclamations at Apollo and Moody Bays, with the enlargement of the General Post Office and Mint Buildings.

18. The Apollo Pier was enlarged from a width of 75 feet to a width of 150 feet, at a cost of Rupees 89,000. This work had been almost completed in the year 1861-62.

19. The reclamations in the Apollo Bay caused in 1862-63 an expenditure of Rupees 1,49,960. The whole estimated cost is Rupees 6,00,118.

20. The expenses of the reclamations in Moody Bay are estimated at 58 lacs, but Rupees 20,000 only were spent in 1862-63. The project is a resumption and extension of one for which an expenditure of about nine lacs of rupees was sanctioned in 1853, and which had been accordingly commenced, but, after an expenditure of about two lacs of rupees, discontinued. The total area to be reclaimed by the project as resumed amounts to 186 acres. The work when completed is expected to form one of the most useful as well as most remunerative public works on this side of India.

DHARWAR.

Dharwar.

21. Several small irrigational works have been in progress in Dharwar. Of lines of communication in progress or repair the most important is the Hooblee road towards Sudashewghur, where it waits for the construction of a port and adequate approaches before its full advantages can be felt.

22. Works on the Tinai Ghaut road, which connects Dharwar, with Goa, have been retarded by a sickly season and the consequent want of labour.

AHMEDABAD AND KAIRA.

Ahmedabad and Kaira.

23. Kaira which until lately was under the charge of the Executive Engineer of Ahmedabad was made, in the course of 1862-63, a separate charge. In Ahmedabad Rupees 1,03,298 had been expended in constructing and completing a portion of the Ahmedabad and Gogo road. The progress in this work had been satisfactory.

NORTHERN CONCAN.

Northern Concan.

24. The principal objects of expenditure in the Northern Concan have been buildings at Matheran, a road between the Bhore Ghaut and the Nagotna creek, and repairs to the Jamsetjee Causeway at Mahim.

MHOW.

Mhow.

25. At Mhow new upper-storied barracks for a regiment of British dragoons were undertaken in 1862-63. The total expenditure on these barracks in the year under report was Rupees 1,46,309. The works are being pushed on as rapidly as possible.

POONA CANTONMENT.

Poona Cantonment.

26. The principal work in progress during 1862-63 at the Poona Cantonment was the new steam bakery, on which Rupees 8,145 were expended during the year. The entire cost of the completed work will be defrayed from the profits on the sale of Government biscuits.

KIRKEE CANTONMENT.

Kirkee Cantonment.

27. The roads at the Kirkee Cantonment have been partially metalled for the first time. Eight new barracks and two ranges of family quarters, all for the men of the Royal Artillery, were in course of construction.

NASSICK DISTRICTS.

Nassick Districts.

28. The principal expenditure in the Nassick Districts has taken place on works of public improvement, among which were numerous irrigating canals and dykes.

29. A useful railway feeder was in progress, which joined the large commercial town of Yeola to the Railway Station at Munmar.

AGRA ROAD, BEAORA DIVISION.

Agra Road, Beaora Division.

30. The Dewas and Beaora division of the Agra road, 82 miles in length, has progressed satisfactorily.

THE GARRISON AND DOCKYARD ENGINEER, BOMBAY.

The Garrison and Dockyard Engineer, Bombay.

31. Under the Garrison and Dockyard Engineer, Bombay, the principal work done in 1862-63 was the new Naval Hospital on Butchers' Island. This will hold 50 patients, and was at the close of the year under report nearly completed. The expenditure on it during 1862-63 was Rupees 10,000, the total estimated cost being Rupees 38,839. A house had been purchased at Khandalla for use as an hospital in behalf of the troops there.

32. The work of demolishing the ramparts of Bombay was commenced in January 1863. The principal gateways had been removed at the close of the year with great advantage to the traffic. Plans and estimates for the new public buildings most urgently required for, that is, a new European Hospital and a High Court, had been invited. For the Hospital plans were to be furnished by public competition: for the High Court by a few architects selected by Government. The cost of these buildings is expected to be defrayed from the sale of spare land on the Esplanade and in the Fort itself.

AGRA ROAD, MHOW DIVISION.

Agra Road, Mhow Division.

33. The Agra road between Indore and Bhoreghur has been moorumed throughout and rendered passable for mail carts.

SHOLAPORE.

Sholapore.

34. The principal work in the Sholapore collectorate is a road from Barsee to the Barsee Road Station on the Great Indian Peninsula Railway. All the gradients on this road, which goes over a very level country, were to be flattened to 1 in 100, and all the masonry to be of sufficient strength to bear locomotives and trains. Barsee is in the centre of a large cotton district, and it may some day be convenient to turn the road into a tramway. The total expenditure on the work during 1862-63 amounts to Rupees 40,020.

35. Works having been sanctioned for the relief of the poorer classes from the distress they suffered under through the failure of rain, among other projects, the metalling of the Poona and Sholapore road, between the river Bheema and Sholapore, was undertaken. Before the metal was completely broken and prepared, the necessity of the work as a relief work had passed away, and operations were therefore suspended. The metal which had been prepared remained in consequence unutilised.

AHMEDNUGGUR.

Ahmednuggur.

36. The heavy cotton traffic which passes along the road from Ahmednuggur to the Imampoor Ghaut has rendered metalling necessary, which has been executed at a cost of Rupees 19,553. From the Imampoor Ghaut to Pyton on the Godavery a fair-weather road had also been completed in the year under report. The traffic on this road—almost entirely cotton—is diminished by the operation of the Nizam transit duties. Famine relief works were in operation in this collectorate also, and were continued into the subsequent official year. In 1862-63 the sums spent on them amounted to Rupees 45,000.

SURAT AND BROACH.

Surat and Broach.

37. The principal engineering work in progress during 1862-63 in Surat was the new Hospital, a building which was being erected at the entire cost of Mr. Cowasjee Jehangeerjee Readymoney, of Bombay. The total cost will be Rupees 66,500, of which Rupees 23,952 were expended in 1862-63.

38. The following railway feeders and connectors, have been in progress during the year:—

a.—From Baldee Pardee railway station on the Par River to Cheewul. This forms part of the line to Nassick and Deolalee, and thus joins Khandeish to the coast, and the north-western extension of the Great Indian Peninsula Railway to the Baroda line. The expenditure during 1862-63 on the Cheewul and Par River section amounted to Rupees 12,831, and the section was made available for horse dawk traffic.

b.—From Palej to Jambooseer, 20 miles in length, and commenced during the year under report. Expenditure, including that on a bridge nearly finished, Rupees 30,182.

c.—Unklesur to Sujode, 5 miles in length, and also commenced in 1862-63. Expenditure Rupees 5,345.

d.—The main pier at Broach was connected with the railway station by a good road at the expense, during 1862-63, of Rupees 6,456, which was defrayed from the One Per-cent. Income Tax.

PUBLIC WORKS—RAILWAY.

RAILWAY OPERATIONS.

Railway Operations.

On the Great Indian Peninsula Railway 70¾ miles of new rail at the end of the year under report was opened to traffic, making the total mileage open 507¾. The 70¾ miles of new rail include the 13¾ miles taken up by the Bhore Ghaut Incline. The remaining 57 miles are due to the extension of the North-West branch from Chalisgaum to Julgaum.

2. The Bhore Ghaut Incline surmounts a height of 1,800 feet, and including the cost of two miles opened in 1858, has been finished at a charge of £1,100,000. Its completion renders possible the full use of the south-eastern extension as a carrier of goods. Up to the opening of the Bhore Ghaut Incline, goods passing between the Concan and the Deccan by railway had to break bulk at the Ghaut, and to be conveyed over a steep rough road six miles in length, at a cost of eighteen pence per ton per mile, at the rate of two miles an hour, and for four months of the year under a rainfall of two hundred inches.

3. Of the 1,114 miles sanctioned for construction by the Great Indian Peninsula Railway Company, 606 miles were at the close of the official year still in the contractors' hands. Of these, 9¾ miles form the break of the Thull Ghaut Incline, an incline of the same importance to the traffic of the north-eastern line, which the Bhore Ghaut Incline is to that of the south-eastern.

4. All the masonry work of the Thull Ghaut Incline was to be finished by the end of 1863. The contract time for the completion of the Incline was May 31st 1863; but it was not thought likely that completion would take effect before May or October of 1864. The works include 2,605 yards of tunnelling, of which 2,090 yards had been finished at the close of the year under report. But of the untunnelled portion 206 yards occur in one tunnel, which will probably be the last work of the contract. Of the viaducts on this incline the Ehegaum Viaduct is distinguished by its unusual dimensions. Its length is 250 yards, the middle piers rise to a height of 190 feet above the surface of the ground, and four of the spans are 150 feet in width.

5. Of the other lengths of the sanctioned line that are still in the contractors' hands those on the Nagpoor branch are the most important.

Railway Operations.

The works on this branch have been much impeded by the circumstances that no roads whatever exist in the districts it traverses, and no stone is to be obtained except at a distance from the line, of generally, 15 or 20 miles. The Deputy Consulting Engineer illustrates the importance of these facts by the instance of the Bhore Ghaut, where it had been found cheaper to bring stone by railway from Poona, 42 miles distant, than from quarries close to the works themselves but not connected with them by rail.

6. Another difficulty met with in constructing the Nagpoor branch was the high price of labour. The population of the districts traversed is at best but scanty, and the high prices ruling of agricultural produce divert most of what surplus labour there is to the cultivation of the soil. But in spite of all hindrances works were so far advanced that it was expected that by the end of the year the line would be opened as far as Sheagaum, which is distant from Mulkapore 34 miles, and by the end of 1864 as far as Oomrawuttee, a further length of 64 miles. Nagpore cannot be reached before 1866 or 1867. The contract time, however, expired in March of 1863.

7. On account of the whole branch from Bhosawul to Nagpore, the total amount already paid to contractors was Rupees 53,40,415, of which Rupees 2,15,476 had been paid them during the year under report.

8. The main extension from Bhosawul towards Jubbulpoor had been so far advanced, that it was hoped it might be opened to Boorhanpoor, 35 miles, before the monsoon of 1863.

9. The whole line to Jubbulpoor cannot be completed before 1865. For the first 85 miles beyond Boorhanpore the uncompleted portion of the line traverses an almost uninhabited and a very unhealthy district. The distance between Boorhanpore and Jubbulpoor by rail will be about 200 miles.

10. On the south-eastern line surveys are in progress to determine whether Hyderabad shall not be made the junction point with the Madra line. The junction previously determined on was at Moodgul, in the Raichore Doab, which is described as being almost uninhabited.

11. Of the buildings which at Boree Bunder serve for a temporary Terminus, it is reported that "their incomplete condition, their confined accommodation, the want of sidings, sheds, &c., the occasional heavy influx of goods, combined with the mal-administration of the Traffic Department, are the source of much annoyance to the public and loss to the Company. Government sanctioned in March a temporary increase to this Terminus, but the Company did not avail themselves of it."

12. The total expenditure on the Great Indian Peninsula Railway up to the 1st of May had been £9,877,615, of which £6,104,360 had been disbursed in India. The amount of capital raised amounted at the same date to £10,665,968, of which £367,099 were subscribed in India. The

Railway Operations.

net earnings of 1862 amounted to £2-17-10 per-cent on the capital cost, to, that is to say, £1,22,620, about double those of 1861. The gross earnings are exhibited in the following table :—

	Tons.	Rupees.
Goods	328,230	20,30,412

	Class.	Number.	Receipts in Rupees.
Passengers....	1st.	24,817	 69,640
	2nd.	147,570	 1,33,550
	3rd.	2,499,054	 10,37,927
	Total....	2,671,448	14,51,881
			Rupees.... 34,91,344

13. Of the tonnage carriage in the above account it is proper to state that about one-fourth, yielding to Revenue Rupees 3,39,812, is due to the carriage of railway material itself.

14. The following table contrasts the statistics of 1862 with those of 1861 :—

	1861.	1862.
Percentage of net earnings to gross	24	38
Number of Passengers.		
1st class	21,152	24,817
2nd class	161,639	147,570
3rd class	....	2,499,054
3rd and 4th classes	2,216,680	....
Receipts.		
1st class .....Rupees.	50,576	69,640
2nd class..... „	1,32,366	1,33,550
3rd class..... „	....	10,37,927
3rd and 4th classes..... „	9,17,981	....
Tonnage of Goods	261,179	328,009
Tonnage of Railway Materials	50,690	78,007
Receipts from Goods.....Rupees.	13,92,250	19,81,981
Receipts from Railway Materials .. „	1,34,422	3,39,812
Average Mileage	368	451

Railway Operations.

15. "The third class passengers, who out-number the others as 14 to 1, and who pay 5 times as much to the Company," were carried during 1862 at the rate of 2 pies, or a farthing a mile. In 1861 there were two rates of 3 and 1½ pie.

16. The unpressed state of the cotton carried to the Coast needlessly increases the number of vehicles employed. The carriage to the coast generally is very much greater than that from the coast. "Partly from these causes and partly from mismanagement, the mean load of carriages adapted to carry six tons is less than two, and * * for every ton of paying goods carried, the Company have to move two of dead weight in the shape of empty and half empty waggons." The ultimate cessation of the present transport of railway materials will aggravate this state of affairs, unless a counterbalancing increase in the quantity of goods sent inland take place. Measures are being adopted to secure to the Company the carriage up-country of the salt which is manufactured on the coast, but little of which at present finds its way to the railway. At Tanna and Callian the construction of branch lines to neighbouring bunders had been resolved on, or was being discussed. A road from Kurjut Station to the salt-works at Penn was in course of making. Proposals had been made for establishing a system of bonded warehouses to be built at selected stations.

BOMBAY, BARODA, AND CENTRAL INDIA RAILWAY.

Bombay, Baroda, and Central India Railway.

17. On the Bombay, Baroda, and Central India Railway, 52½ miles of new road had been added to the working mileage, and at the close of the year 1862-63 trains had been running since January for the whole distance between Bulsar and Ahmedabad, a total distance of 185¼ miles.

18. The line between Bombay and Bulsar had not progressed satisfactorily for want of materials for the iron bridges and permanent way. The earthwork had been rapidly executed by means of contractors, contract labour having been substituted for day labour regulated by departmental control. Masonry works had also been carried on with celerity. At Bombay a change of plan had taken place, and the Government had engaged to execute the necessary works for crossing Back Bay. In consequence, the Company had abandoned its former design of carrying the line along the slope of Tardeo Hill, a line adopted because of the material which the cuttings would liberate for use in filling up Back Bay. The line now will be brought straight to the shore of the Bay.

19. Great difficulties have been encountered in carrying the line over some of the rivers. The Par is instanced, where the foundations of the piers had to be sunk in a bed covered at all times by a considerable

depth of water, and composed of succeeding layers of mud, large boulders, a sort of natural concrete, and rock. The bridge over this river had been three years in progress, when it was completed in the year under report. Bombay, Baroda, and Central India Railway.

20. Much work had been done on the open line. Here many of the smaller bridges having proved defective had been restored, and the temporary station at Surat had been replaced. But it is reported that additional goods' sheds, cranes, weigh bridges, and sidings are wanting, and that the watering arrangements are defective.

21. The expenditure on the Baroda line from the commencement up to the 1st of May 1863 was £4,039,424, of which £2,354,103 was expended in India, and was advanced by Government against payments made in London, except £20,000 subscribed by Indian shareholders. This expenditure is at the rate of £13,030 per mile on the whole line, of which 124¾ miles are yet unopen and very incomplete, while the open portion still requires large expenditure on numerous important works. The estimated cost per mile for the whole railway when open throughout is about £15,000. The net returns for capital actually expended were—

For half-year ending 30th June 1862.... £1-4-0 per-cent per annum.
For half-year ending 31st Dec. 1862... £2-11-1 per-cent per annum.

22. The total expenditure of the Railway during 1862 amounted to Rupees 3,54,370, being 50·15 per-cent of the total receipts, which summed Rupees 7,06,722-7-9.

23. Change for the better had taken place in the traffic arrangements, but the extension of the line to Ahmedabad had been attended with the result of a diminution on the average weekly number of passengers, a diminution to be ascribed to an increase of the third class fares. These fares are now four instead of three pies a mile. While the mileage open has increased 40 per-cent, the total number of passengers per mile has decreased 18 per-cent. Meanwhile the goods traffic increased largely by the extension of open rail. The weekly quantity carried per mile rose from maunds 92·60 to maunds 208·67, or 125 per-cent; the weekly receipts per mile from Rupees 14·21 to Rupees 45·30, or 218·8, per-cent. The want of Feeders is much complained of.

THE SIND RAILWAY.

24. This railway had been worked in a satisfactory manner throughout the year, July and August excepted, when, as in 1861-62, heavy The Sind Railway.

The Sind Railway.

rains caused a suspension of traffic operations. More damage was caused in 1862-63 however. Traffic was stopped for ten days, and masonry works as well as earthworks damaged.

25. The cause of this loss was the insufficient allowance made in the original structure of the line for drainage. In many cases the embankments became dams, and the cuttings catch-water drains, after a few hours' rain. Additional culverts and new bridges have since been supplied, and embankments lined and strengthened.

26. At Kurrachee traffic accommodation has been extended by the construction of new sidings at MacLeod Station. At Jungshai, in the middle of the line, the station has been completed. Accommodation for telegraph clerks has been furnished at the various passing places and stations. The goods' sheds at Kotree have been pushed forward, various new sidings have been laid along the river bank, and cranes and other appliances for facilitating the interchange of rail and river traffic provided.

27. A branch line to Ghizree has been finished, but is unopened, and it is expected will remain unopened, there being no trade between Ghizree and Kurrachee. The Keemaree extension has been commenced, after a change of the intended route.

28. The total expenditure on this railway up to the 30th of April (English expenditure for the last two weeks in April excepted) has been £1,652,422, or £15,737 per mile. The cost per mile is expected to rise to £18,000, before all is done which is necessary for the thorough completion of the line. The expenditure in India up to the 30th of April 1863 was £983,130.

29. The average weekly receipts at the close of 1862-63 amounted to Rupees 21,150, an increase of 147 on those at the close of 1861-62. The average weekly receipts must amount to Rupees 40,000 before the guaranteed interest on £18,000 per mile can be covered. The increase in receipts is almost entirely due to the goods traffic.

30. For 1862 the total receipts were Rupees 6,85,490, and the total expenditure Rupees 5,46,352. The following table exhibits the particulars of the passenger traffic :—

Class.	Numbers.	Rupees Received.
1st.	466	3,837
2nd.	5,975	15,203
3rd.	98,622	1,04,383

31. The annexed table compares the chief statistics of the different Railways together.

Railways.	Miles open.		Number of Passengers.		Total Receipts in Rupees.		Cost of Construction per mile of completed portion.	Cost of construction per mile as estimated for whole line when completed.	Rolling Stock.		Percentage of Return on Capital cost.	Total Expenditure.	Total Expenditure in India.
	1861.	1862.	1861.	1862.	1861.	1862.			Engines.	Carriages and Waggons.			
					Rs.	Rs. a. p.	£. s. d.	£.			£. s. d.	£.	£.
Great Indian Peninsula Railway..	368	451	2,399,671	2,671,441	26,67,462	34,95,589 0 0	Not given	..	83	2,648	(4) 2 17 10	(1) 9,877,615	(2) 6,104,360
Sind Railway	105	105	Not given	105,063	Not given	6,85,490 0 0	15,737 0 0	18,000	20	389	(9) 0 15 1	(8) 1,652,422	983,130
Bombay, Baroda, & Central India Railway	(5) 132¼	(6) 185½	Not given	Not given	Not given	7,06,722 7 9	11,388 9 10	15,000	Not given.	774	(7) 2 11 1	4,039,321	2,354,103

(1) Up to 1st May 1863.
(2) Up to 1st May 1863, and at 1*s.* 10*d.* to the rupee.
(4) The net earnings for 1862.
(5) 1861-62.
(6) 1862-63.
(7) On half-year ending December 1862.
(8) Exclusive of English expenditure for the last fortnight of April.
(9) On the expenditure of 1862.

The Sind Railway.

INDUS STEAM FLOTILLA.

Indus Steam Flotila.

32. The total expenditure of the Indus Steam Flotilla Company up to the 30th April 1863 had been £319,014. The earnings from all sources during 1862 amounted to Rupees 3,67,841, but the expenditure for that year had not been ascertained at the date of report. During 1862-63 eight steamers and one tug had been running, and had made thirty-four trips in all, carrying 4,347 passengers, and 262,089 maunds of goods. Of the eight steamers afloat six had been transferred from the Government Flotilla, and are not to be placed against the Company's expenditure of £319,014. In return for that expenditure, the Company at the date of report had to show two steamers and eleven barges fit for work, besides some houses and building-yards. A fleet of five steamers were still in the hands of the contractors, but had been condemned both by Government and the Officers of the Company. The yards at Keamaree were reported to be in a state of great confusion.

33. The *prospects* of the Company are reported to be good. Their vessels have run with full cargoes, and the demand for freight has been far beyond the Company's power of carriage. The entire benefit of this state of things, however, was not reaped by the Company. The agent was not empowered to charge for freight at other than a fixed rate, a rate much lower than what merchants were willing to pay. Consequently, the Company's steamers in some instances had been carrying goods at half or one-third the price native boats were receiving. A minimum scale of charges was afterwards authorised, above which the Company's Agent could go so far as he finds the market to suit him. The up-voyage to Mooltan takes on an average 22½ days. Piece goods, Railway materials, Commissariat stores, furnish the bulk of the cargo on this trip. The down-trip to Kotree on an average occupies ten days, the cargo consisting mainly of Cotton, Indigo, Hemp, Saltpetre, Oilseeds, and Silk.

MILITARY DEPARTMENT.

Military Department.

THE Cavalry of this Presidency was reduced during 1862-63 from a total strength of 4,680 men to a total strength of 3,992 men.

2. A reduction of Native Artillery also took place. Only three Companies were retained at the end of the year to serve in climates unsuited to the European constitution.

3. The strength of the whole Bombay Army on the 1st of May 1863 amounted to 37,885 men, of whom 12,463 were Europeans. These numbers do not include European Commissioned Officers, or the troops serving in China. On the 1st of May 1862, the total strength of the Army was (the same exclusions observed) 40,264. The total reduction of expenditure between these dates is about Rupees 7,27,911.

MARINE DEPARTMENT.

Marine Department.

4. On the last day of the official year 1862-63 the Indian Navy was abolished, and a Steam Transport Establishment substituted.

EDUCATION.

Education.

In the Government Vernacular schools, which number 689, and contain a total of 43,594 pupils, an increase is reported over the returns of 1861-62 of 42 schools and 5528 pupils. 1861-62 itself presented an increase over 1860-61 of 5544 pupils, while this last year showed an increase over 1859-60 of 5895. In 1858 the Vernacular schools were 506 in number, at the end of 1862-63, 689; and while the 506 Vernacular schools of 1858 educated only 25,100 pupils, an average of less than 50 scholars to each school, the 689 schools of 1862-63 were educating 43,594 scholars, being an average of more than 62 scholars to each school. Yet in the interval there had been, on the one hand, no increase of the Educational Grant, while, on the other, in 1861-62 the fees in all schools had been doubled. In 1857-58 the fees collected in Government Schools of all grades amounted to Rupees 38,515, in 1861-62 to Rupees 67,624, and in 1862-63 to Rupees 77,675.

2. Many of the Vernacular schools also contain English teaching classes, the pupils in which pay a higher fee. In some cases Municipal assignments have been appropriated to the establishment of such classes. Of Vernacular schools in general, however, the Director of Public Instruction is unable to say that their quality has improved in a similar degree to that of their increase in numbers and pupils.

3. The English and Superior Vernacular schools were 24 in number, and were educating 4066 scholars. In 1861-62 these schools were 25 in number, but the scholars only 3663, showing an increase of 403 pupils. In 1863, 12 candidates from these schools succeeded in passing the Matriculation examination of the University of Bombay. The more important of the English schools are classed by themselves as High Schools. They are the Central School, Elphinstone Institution, the Poona College School, the Ahmedabad, Surat, and Rutnagherry High Schools. With them may be counted the Proprietary School, Bombay. "The Honorable Mr. Rustomjee Jamsetjee had offered Rupees 1,00,000 for the foundation of English schools for his countrymen in Guzerat and Bombay."

4. The three Inspectors it had been ordered were henceforward to divide the Presidency according to the prevalence of particular languages. Thus the Southern Division was to be purely Canarese, the Northern purely Guzerati, the Central Marathi. Each was to be under

Education.

an Inspector; but the Inspector of the Central Division, much the largest Division of the three, was to be aided by a European Assistant. A Deputy Inspector was appointed for Sind. To the Southern Division the zillah of Canara had been added in consequence of its severance from the Madras Presidency and its annexation to the Presidency of Bombay. Canara when thus taken over did not contain a single Government school.

5. In the Anglo-Vernacular schools the fee had been increased. For the general improvements of District schools exhibitions tenable at High schools had been founded. Inspectors were to select boys from the minor schools to hold these exhibitions, which are maintained out of the surplus school fees. The village schools in each talooka had been organised in subordination to a selected principal school in some important town of the talooka. This last measure was intended to supply the want of sufficient inspection. The inspecting agency is not reported to have been equal with the requirements of the time.

6. Municipal assignments to Education had been granted at Ahmedabad, Surat, Kaira, Waee (Sattara), Kurrar, Raneebednoor (Dharwar). These assignments amount in the aggregate to the monthly sum of Rupees 629-5-0, and other grants of the same kind had been promised. The Fee Fund is large and increasing. That of the Central Division alone amounted to Rupees 51,505, showing an increase on the Fee Fund of the preceding year of Rupees 9,994. The Normal Schools are all reported to be unsatisfactory. They were to be raised "to the status of Vernacular Colleges," in which the professional idea will be subordinated to that of general culture.

7. The Poona and Elphinstone Colleges were reported to be in no unsatisfactory state. At Poona College the new Principal, W. Wordsworth, Esq., M.A., had commenced his duties, and at the last University Examination that college succeeded in matriculating eighteen men, and in passing three men through the First Examination in Arts. At Elphinstone College also a change of Principalship had taken place. This was consequent from the retirement on pension of Dr. Harkness, whose successor was Sir A. Grant. A European Professor of Sanscrit had been appointed, and the Physical Science school re-organised. During the year under report the College succeeded in matriculating 25 men, in passing 10 through the First Examination in Arts, and 3 through the B. A. Examination. The average daily attendance was 74, and it is said that "the numbers are kept down by the progressive elevation of the Matriculation standard, and the shortcomings of the High Schools." Mr. Cowasjee Jehangeerjee,

Education.

Readymoney, has given Rupees 1,00,000 towards the erection of a new College building, and the Government contribute an equal sum to the same undertaking. But the Director's report notes the fact that the annual Contribution of Government to Elphinstone College "still remains at Rupees 22,000, while the other Presidency Colleges receive twice and thrice that allowance."

8. The Grant Medical College was attended by 76 students, of whom 28 were "Student-apprentices," while 20 were members of the Vernacular class established in the year 1861. At the commencement of the Session 28 new students were admitted, of whom 24 were either Vernacular students, or "student-apprentices." At the close of the Session 3 students obtained the Degree of Licentiate of Medicine in the University of Bombay, 5 also passed the First Examination for the same degree. Three student-apprentices passed for the grade of Assistant Apothecary.

9. The University of Bombay during the year had matriculated 56 out of 148 candidates. 15 candidates had also passed the First Examination in Arts, 3 the B. A. Examination, 5 the First Examination for M. D., and 6 the Second for the same. 20,000 rupees had been offered by Mr. Munguldass Nathoobhoy for the foundation of a Travelling Fellowship for Hindoos, and had been accepted by the University authorities. 1,00,000 rupees had been given by Mr. Cowasjee Jehangeerjee, Readymoney, towards the building of a University Hall.

10. Institutions for Special education are the Bombay Law Classes, the Engineering School and the Mechanical School at Poona, and the Ahmedabad College. The Law Classes during the year under report had been for the first time attended by some junior members of the Covenanted Civil Service. At the so-called Ahmedabad College lectures on jurisprudence had been delivered by Rao Saheb Wasudeva Jagannath Kirtikar, a distinguished student of the Law School, Bombay, whose success, however, was modified by the inferiority in general education of his pupils. The Engineering School at Poona was to be re-organised. At Surat a School of Industry was to be founded by aid of an endowment of Rupees 50,000, offered by Mr. Cursetjee Furdoonjee. To the Sir Jamsetjee Jejeebhoy's School of Arts a teacher of Architectural Design had been supplied by Government. The Superintendent of this Institution had been enabled by the liberality of the Jamsetjee family to visit England for the purpose of self-improvement, and for the supply of a library and collection of Works of Art to the school.

Education.

11. The sum sanctioned by the Supreme Government for Education, Science, and Art, in Bombay during 1862-63 was Rupees 4,98,242, but as the sanction was not conveyed to the Bombay Government and communicated to the Educational Department before December of that year, it was impossible to take full advantage of the grant. The expenditure for 1862-63 was not ascertained at the date of report. That for 1861-62, not including the University charges, and after deduction made for fees and donations paid into the Treasury, was Rupees 3,98,611-13-10. The receipts of the Book Department amounted to 60,000 rupees against less than 52,000 rupees for 1861-62, and less than 39,000 rupees for 1860-61. 500 book-shops were open at the end of the year in connection with the Central Book Depôt.

THE MEDICAL DEPARTMENT.

The Medical Department.

TOWARDS the close of the year under report an offer was made by Mr. Cowasjee Jehangeer to endow a separate hospital, to be built at Bombay, for diseases of the eye. In the present Eye Hospital upwards of 2200 cases were treated during 1862-63, and 190 operations were performed. A General Hospital has also been built and endowed at Surat by the same gentleman. It was expected to be ready for use in the course of the succeeding year.

2. At Ahmedabad a new Lunatic Asylum had been completed and opened during the year. The inhabitants of that city proposed to contribute Rupees 2,000 per annum towards its support.

3. Three new Charitable Dispensaries were about to be opened at other places in Guzerat. In Sind one Charitable Dispensary had been actually opened, another was on the point of being opened, and it was in contemplation to add others to the number.

4. The whole number of persons treated in Hospitals and Dispensaries during 1862-63 was 193,501, against 163,855 for the preceding year. In Civil Hospitals, including the Jamsetjee Jejeebhoy and European General Hospitals in Bombay, 17,008 were treated, of which the Jamsetjee Jejeebhoy hospital took in 5,473. In the several Police hospitals the total number of cases was 8,985, a proportion of 46·9 per cent. to "strength." The proportion of deaths to "treated" was 0·9 per cent. in the Police hospitals; in the Civil, 9·3. per cent. In the Jails the total number of cases was 10,072; the proportion of treated to "strength" was 152·3; of deaths to "strength" 4·2; of deaths to "treated" 2·8. In the case of Police hospitals, the highest total of cases treated was in those of the Northern Division, 2,423; the highest proportion of cases to "strength" in those of Sind, 70·0; of deaths to "strength," in those of Sind and the Southern Division, 0·5 each; of deaths to cases, in those of the Southern Division, 1·1. The lowest proportion of cases to "strength" obtained in the hospitals of the Poona Division, 25·8; of deaths to "strength," in the Presidency Division, 0·2; of deaths to cases in the Presidency Division and in Sind, 0·7.

The Medical Department.

5. The principal of these figures are contrasted in the following table :—

	Proportions of Treated to Strength.	Of deaths to Strength.	Of deaths to Strength.	Cases.	Strength.
Police Hospitals ..	46·9	0·4	0·9	8,985	19,145
Civil Hospitals	....	....	9·3	17,008	....
Jails	152·3	4·2	2·8	10,072	6,609

6. In the case of Jails the highest total of cases and the greatest proportion of cases to "strength" occurred in Sind, 3878 and 204·8 respectively; the highest proportions of deaths to "strength" and of deaths to cases occurred in the Northern Division, 10·0 and 8·4 each. The lowest proportions of deaths to "strength" and of deaths to cases is found in Sind, 2·1 and 1·0.

7. In the Charitable and other Dispensaries, including the Eye Infirmary, a total of 157,376 persons were treated. Of them 29,088 were women. The Hindoos formed 54 per-cent of the whole number of patients, the Mussulmans 31.

8. The number of persons Vaccinated during the year under report was 238,760, of whom 109,949 were females. Of the whole number of persons vaccinated 177,144 were Hindoos, and 817 Parsees. The infants under a twelve months' age numbered 79,699. The number of successful operations is returned at 216,636.

CONSERVANCY AND MUNICIPAL ADMINISTRATION.

Conservancy and Municipal Administration.

THE following projects of law relating to Conservancy and Municipal Administration were under consideration by the Council of the Governor of Bombay during 1862-63:—

I. A Bill to abate the nuisance arising from the smoke of Furnaces in the Islands of Bombay and Colaba.

II. It being desirable that the Municipalities in the Mofussil should be placed under the control of the Police Commissioners, a Bill was introduced to make the necessary amendments to the Municipal Act XXVI. of 1850. This Bill was passed as Act IX. of 1862.

III. A Bill to regulate the Burial or disposal of the dead in the town and suburbs of Bombay. This Bill was eventually withdrawn.

IV. A Bill for the Regulation of Public Conveyances in the town, island, and harbour of Bombay. It was passed as Act No. VI. of 1863.

V. A Bill to confer certain powers on the Bombay Gas Company, Limited. This Bill is almost similar to Act V. of 1857, entitled "An Act to confer certain powers on the Oriental Gas Company, Limited," which Act is copied almost section for section from the English Act 10 and 11 Vic. C. 15.

VI. A Bill to provide for the management of the Vehar Water Works. The object of this project was to enable the Government to hand over the works at Vehar to the Municipal Commissioners of Bombay, and to provide for their subsequent inspection by Government officers. It had at the date of report been submitted for the assent of the Governor General.

VII. A Bill for taking a census of the Bombay Presidency. This Bill was drawn up for the immediate purpose of furnishing the local Government with the requisite legal powers for taking an accurate census of the Presidency town alone, but its terms were sufficiently general to apply to any town or district, which it may at any time be desirable to subject to a census. At the date of report the Bill had passed the Council of the Governor of Bombay, and been submitted for the assent of the Governor General.

BOMBAY.

Bombay.

9. A separate report has been submitted to Government by the Municipal Commissioners of Bombay of their administration during 1862. The actual receipts of the Municipality for that year are given as Rupees 10,70,775-5-6; for 1861, Rupees 13,80,508. The items of this sum which are notable either for their size or on other accounts follow :—

A. Assessments	Rs.	4,40,466
B. Fees	„	1,13,685
C. Town Duties	„	3,53,147
D. Town Sweepings	„	3,343

Under A, the assessment on houses, buildings, and land yielded Rupees 2,63,343; that on vehicles and horses Rupees 1,63,855; that on Government property Rupees 13,000. Under the heading Fees is included "Water Rates," which return Rupees 19,847. Of the heading C. it may be noted that the Commissioner of Customs collects Rupees 2,72,129, the G. I. P. Railway Company Rupees 81,018.

10. The expenditure for 1862 amounted to Rupees 10,34,280. The principal items of this sum follow in order of their magnitude :—

I. Vehar Water Works	Rs.	2,50,000
II. Drainage Deposit Account	„	1,93,874
III. Repairing, widening, and surveying roads	„	1,17,244
IV. Salaries and Establishments	„	1,12,943
V. Scavenging and watering roads	„	1,01,007
VI. Police charges	„	79,696
VII. Stores for different works	„	73,391
VIII. Construction of new works	„	24,858

11. With respect to the management of the Vehar Water Works it is necessary to state that the collections, (Rupees 19,847), are very much less than the assessments, which amount to Rupees 57,703. This discrepancy is stated to be due to the difficulties which attend the introduction of a house supply. 1,841 "connections" were made during the year under report against 850 in 1861. The water meters proved to be a failure so far as the house supply is concerned.

12. Nothing was done in 1862 towards carrying out a system of drainage. Owing to the difficulty of procuring a sufficient quantity of metal in proper time "a good many roads which it would have been very desirable to have full metalled" were left over to next season. Repairs, however, were generally executed in a satisfactory manner.

Bombay.

13. Three important cross roads, unfinished in 1861, were completed during the year under report, and connect the east end of the Bellasis Road with the west end of the Grant Road, so as to form a direct line of communication between Byculla and Malabar Hill. It had been attempted to cover the Main Drain with galvanized corrugated iron in order to keep down the smell. Three hundred yards were experimentally roofed over with a covering of such iron, which was destroyed by a storm. Whether this failure was due to the design or the material of the works is not stated. The total cost of the experiment, which was not repeated, was Rupees 4,176.

14. An attempt to improve the roads and drains on Nowrojee Hill also failed, because the "parties most interested in the matter" refused to give the ground which was wanted for the construction of the roads proposed and their drains.

15. Steps had been taken to improve Bombay Green by symmetrizing its shape, and surrounding it with buildings of suitable architectural appearance. The plan rendered it necessary to extend the actual area of the Green in one direction, but made it possible to contract it in another. The land not wanted sold for more than fourteen lacs of rupees. The money paid to Government as owner of the Green (the price, three lacs and a half, being calculated only for the difference in area between the old green and the smaller new green), and to the proprietors of the fresh space wanted amounted to less than eight lacs. The Green in its new form will be called the Elphinstone Circle. Mr. James Scott, C.E., Chief Engineer to the Elphinstone Land Reclamation Company, prepared the designs for the chief frontages of the new buildings.

REVENUE SURVEY.

Revenue Survey.

16. The Revenue Survey was during 1861-62 carried on in Tanna, Rutnagherry, Khandeish, Guzerat and the South Maratha Country. Its total cost during 1861-62 amounted to Rupees 5,79,213-11-7, being more than 4,111 rupees less than the cost in 1860-61. But if the South Maratha Country be excluded, the total cost for 1861-62 will be nearly 10,000 in excess of the cost in 1860-61. The cost per acre (Rupees 0-4-7½) is in each district less than the cost in 1860-61. Surveying seems to be cheapest in the Southern Maratha Country, where the cost per acre is Rupees 0-3-5¼, and most expensive in Guzerat where the cost is Rupees 0-9-5. But as "each survey has its peculiar difficulties to contend against, a comparison between the work and cost of any two surveys would be unfair, and lead to no practical conclusions." The entire number of acres classified was 1,925,965; of acres measured 1,557,178.

Revenue Survey.

17. The operations of the Tanna and Rutnagherry survey also embraced the Collectorates of Poona and Ahmednuggur. Generally the work was very satisfactory and creditable to the Officers by whom it was supervised.

18. In Khandeish the season was the most unhealthy on record. The work done, however, was not much short in any respect of the work done in the preceding year. Great progress had been made in the settlement of boundary disputes in Government villages, and between British villages on the one hand, and those of the Nizam on the other.

19. In Guzerat the Survey Officers had great difficulties to contend with in the character of the season and of the country operated in. Nevertheless a very good out-turn of work was shown. Government considers the able and efficient manner in which the several Officers of the Northern Division performed their duties during 1861-62 "to be very creditable to those Officers, and deserving commendation." In the South Maratha Country, where only three measuring establishments were employed during the year, the result was satisfactory, and most creditable to the Superintendent and to all the Officers in charge of the measuring and classing operations.

20. The following table exhibits a general view of the proceedings of the three surveys contrasted with the preceding year 1860-61 :—

Survey.	Acres Measured.		Acress Classed.		Cost per acre of both Operations.		Total cost of Survey.	
	1860-61.	1861-62.	1860-61.	1861-62.	1860-61.	1861-62.	1860-61.	1861-62.
					Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Tanna and Rutnagherry.....	663,061	753,172	244,992	411,293	0 5 4	0 4 6	1,67,943 5 1	1,78,400 10 7
Excess.....	....	90,111	....	166,301	0 0 10	....	.....	10,457 5 6
Khandeish	450,492	501,818	556,226	550,173	0 4 2	0 3 7	1,27,121 14 11	1,22,333 6 0
Excess.....	....	51,326	6,053	....	0 0 7	....	4,788 8 11	.....
Guzerat	273,034	282,889	247,387	444,323	0 11 5	0 9 5	1,88,956 9 5	1,93,258 11 0
Excess.....	....	9,855	....	196,936	0 2 0	....	.....	4,302 1 7
The South Maratha Country	432,511	349,299	459,754	520,176	0 3 7¼	0 3 5¼	99,402 0 0	85,291 0 0
Excess.....	83,212	....	....	60,422	0 0 2	....	14,111 0 0	....

21. Revised rates of assessment had been or were about to be introduced at the date of report into the following districts:— Revenue Survey.

I. The Walwa Talooka, of the Sattara Collectorate.

II. The Mamlutdárs' and Tulleh Mahalkurrees' Divisions, of the Rajpooree Talooka in the Colaba Sub-Collectorate.

III. The Mahim Talooka, of the Tanna Collectorate.

22. In the unhealthy Mahim Talooka proposals have been made to increase the wholesomeness of the air and water by preventing the contamination of the wells by decayed vegetable matter, and by clearing teak trees away from the immediate vicinage of villages. The growth of date trees wild in the jungle by furnishing a ready means of obtaining drink is one cause of the demoralisation of the wild tribes inhabiting this part of the Concan. Orders were to be issued for the destruction of these trees.

23. The settlement of the Tulleh Division will, it is hoped, have the effect of causing extra land to be taken up in cultivation. Hitherto Government in this district has been in the habit of taking its share in the profits from a rise in prices of agricultural produce. Consequently, in spite of the gradually increasing price of grain, cultivation for the last ten years has been at a stand-still.

24. In the Walwa Talooka the present high prices have rendered considerable tracts of inferior soil profitable for cultivation. These lands, never known within the memory of man to have been before cultivated, are now frequently the object of keen competition.

25. 'In all the settlements, right has been reserved to Government of imposing a further cess for local purposes of education and material improvement.'

FORESTS.

As the Forest accounts had been transferred to the several Collectors, the Conservator of Forests was, at the date of report, unable to give any statement of the financial results of his administration. Forests.

2. The present Conservator of the Forest was only five months out of the twelve under report in actual superintendence of forests. The chief topics of interest with respect to the working of the department are the operation of the "fee" system, and the question as to the proprietary right of the Government in teak trees growing on village lands.

3. The Government right of property in teak had already been the subject of several law suits, the more important of which were under appeal at the date of report.

4. In the Tanna Collectorate frauds had been perpetrated in connection with the newly introduced modification of the fee system, frauds which would presumably become impossible when the departmental system of cutting should have been brought into operation. No fee system probably could be devised which would not make fraud possible on a very extended scale.

5. In Canara arrangements were being made for the future management of the forests. Here the proportion of forest to cultivated land is so large that stringent conservancy is not so necessary as it is in more populous districts. But no persons are to have grants of standing timber in the forests; all timber is to be cut and carried by the Department, and the vicinity of the roads cleared of jungle, though not of necessary shade. The Conservator is disposed to recommend on sanitary grounds that the basins and valleys throughout the Collectorate should be cleared of timber and brushwood, so as to give free way to natural drainage.

6. In the Collectorates of Tanna, Poona, Sattara, Nuggur, Rutnagherry, teak rafters were cut and sold by auction during the season, and obtained higher rates than have ever before been realised. The total amount realised by the sales was Rupees 97,068-5-10.

7. In Sind the "forests," exclusive of what is termed waste or unassessed jungle land, occupy nearly 600 square miles of area. A third of this is salt or sterile land, bearing no timber. The yield of the wooded portion is about three annas an acre, an amount which the Forest Ranger

Forests.

of Sind compares with the returns from French and Prussian forests. The forests of France it appears return about Rupees 5-8-0 an acre, those of Prussia about Rupees 1-4-0.

8. The net profit of Sind Forests for 1862-63 was Rupees 40,828-11-5 against Rupees 61,243-12-11 for 1861-62. The items Grazing Fees and Building Wood exhibit an increase for 1862-63. The principal decrease is in the item of firewood, and is due to the abolition of the Government Flotilla, and the consequent diminution of the demand for Fuel: but the receipts for the year under report were more than equal to the general average of the last five years.

MISCELLANEOUS.

In the beginning of 1862-63, the Collector of Khandeish reported that an easily accessible tract of country, called the Pall Tuppa, of the richest soil, but without a single human inhabitant, could be colonised, if terms were made with a certain sowkar who was willing, on given conditions, to commence operations early in the succeeding year with 200 ploughs. It was urged that concessions were necessary to tempt a rich man to undertake such a responsibility, the climate being so deadly that the whole of the first colonists would probably die off within the first three years, and the project of reclamation so be frustrated in the absence of a man of substance, whose interest it would be to keep on the experiment until the dense jungles were cut down, the tigers killed, and the climate began to improve.

2. The Government did not think it advisable to make the concessions recommended while there was so much waste land in Khandeish in less unhealthy localities. But roads were ordered to be made, wells dug, a Bheel guard, as a defence against tigers, was sanctioned, and the jungle ordered to be cleared for two succeeding years by Bheel wood-cutters. It was hoped that these measures would be sufficient to improve the climate, and attract settlers, without its being necessary to make any other concession than those allowed by the rules for the sale of waste land.

3. Lieutenant G. F. Birdwood, Staff Corps, late of the 23rd Regiment N. I., was appointed to the charge of the Settlement of pensioned Sepoys which was formed in Khandeish by Captain P. Dods in the preceding year.

APPENDIX A.

LEGISLATIVE.

LIST OF ACTS PASSED BY THE GOVERNMENT OF INDIA FROM 1ST MAY 1862 TO 30TH APRIL 1863.

1862.

XVII.—An Act to repeal certain Regulations and Acts relating to Criminal Law and Procedure.

XVIII.—An Act to repeal Act XVI. of 1853 in those parts of British India in which the Indian Penal Code is in force, and to re-enact some of the provisions thereof with amendments, and further to improve the Administration of Criminal Justice in Her Majesty's Supreme Courts of Judicature.

XX.—An Act to provide for the Levy of Fees and Stamp Duties in the High Court of Judicature at Fort William in Bengal; and to suspend the operation of certain Sections of Act VIII. of 1859 in the said High Court extended to Bombay also.

XXIV.—An Act to continue in force, Act XX. of 1862, to provide for the Levy of Fees and Stamp Duties in the High Court of Judicature at Fort William in Bengal; and to suspend the operation of certain Sections of Act VIII. of 1859 in the said High Court.

1863.

II.—An Act to regulate the Admission of Appeals to Her Majesty in Council from certain Judgments and Orders in Provinces not subject to the General Regulations.

VIII.—An Act for the Amendment of the Law relating to the Confinement of Prisoners sentenced by Courts acting under the authority of Her Majesty, and by certain other Courts, and of Prisoners convicted of offences in Native States.

IX.—An Act to Amend the Code of Civil Procedure.

XI.—An Act to Consolidate and Amend the Law relating to the Employment and Remuneration of Peons for the service and execution of Civil Process.

XIII.—An Act to Empower Judges of the High Court and other Authorities at Bombay to direct Convicts to be imprisoned either in the House of Correction or the Common Jail.

XVIII.—An Act to make Provision for the speedy and efficient disposal of the business now pending in the Office of the Master of the High Court of Judicature at Fort William in Bengal, and to Provide for the Abolition of the Oaths now administered to Hindoos and Mahomedans in the said Court, and to Amend the Code of Civil Procedure in respect to Process issued out of the said Court in the exercise of its original Civil Jurisdiction.

APPENDIX B.

LIST OF ACTS PASSED BY THE LEGISLATIVE COUNCIL OF BOMBAY DURING 1862-63.

1862.

VII.—An Act for the Levy of Port Dues in the Ports of the North Canara District.

VIII.—An Act to Abate the Nuisance arising from the Smoke of Furnaces in the Town and Suburbs of Bombay.

XI.—An Act for further Amending Act XXVI. of 1860.

X.—An Act to Amend Section 45, Clause 1, of Regulation XIII. of 1827.

1863.

I.—An Act for the Registry of Vessels and Levy of Pilotage Fees on the River Indus.

II.—An Act to facilitate the Adjustment of Unsettled Claims to exemption from the payment of Government Land Revenue, and to Regulate the succession to, and transfer of Lands wholly or partially exempt from the payment of such Revenue in those parts of the Bombay Presidency which are subject to the operation of Act XI. of 1852 of the Legislative Council of India.

III.—An Act for bringing under the Regulations and Acts of the Presidency of Bombay the Territories of Sattara, certain Villages and Lapsed States in the Collectorate of Sholapoor and in the Southern Maratha Country, certain Lands ceded to the Government of Bombay for Railway purposes, and the District of North Canara, with the exception of the Talooka Cundapoor; and for excluding the Village of Moochundee, Purgunna Jutt, from the operation of the Regulations and Acts of the Presidency of Bombay.

IV.—An Act to Amend Act XV. of 1858, for the Levy of Port-Dues in the Port of Aden.

V.—An Act to confer certain Powers on the Bombay Gas Company, Limited; and to enable Government to confer similar powers on other Companies registered and incorporated for the purpose of manufacturing and supplying Gas.

APPENDIX C.

A LIST OF IMPORTANT PROJECTS OF LAW THAT WERE UNDER THE CONSIDERATION OF THE COUNCIL OF THE GOVERNOR OF BOMBAY DURING THE YEAR 1862-63.

1. A Bill to Amend Clause 1st of Section XLV. of Regulation XIII. of 1827.

2. A Bill for making better provision for the care of the Persons and Property of Minors in the Presidency of Bombay.

3. A Bill to Abate the Nuisance arising from the Smoke of Furnaces in the Islands of Bombay and Colaba.

4. A Bill for the Levy of Port-Dues in the Ports of the North Canara District.

5. A Bill for Amending the Law relating to the Small Cause Court at Kurrachee.

6. A Bill for further amending Act XXVI. of 1850.

7. A Bill to Amend Act IX. of 1850.

8. A Bill to Promote the Construction of Lines of Communication as Feeders to Railways, High Roads, Navigable Rivers, and Canals.

9. A Bill to facilitate the Adjustment of Unsettled Claims to exemption from the payment of Government Land Revenue, and to regulate the succession to and transfer of lands wholly or partially exempt from the payment of such Revenue, in those parts of the Bombay Presidency which are subject to the operation of Act XI. of 1852 of the Legislative Council of India.

10. A Bill for the Registry of Vessels and Levy of Pilotage Fees on the River Indus.

11. A Bill for the Regulation of the District Police.

12. A Bill for the Regulation of the Village Police.

13. A Bill to enable Magistrates to depute to Subordinate Magistrates power to try certain Offences punishable under the Indian Penal Code.

14. A Bill to entrust Landholders with the Charge of the Police within their respective Lands.

15. A Bill to Amend Act XVIII. of 1862.

16. A Bill for bringing under the Regulations and Acts the Province of Sattara.

17. A Bill for the Summary Settlement of Claims to exemption from the payment of Government Land Revenue in those parts of the Bombay Presidency which are not subject to the operation of Act XI. of 1852 of the Council of India.

18. A Bill for the Regulation of Reformatory Schools for Juvenile Offenders.

19. A Bill to Regulate the Burial and Disposal of the Dead in the Town and Suburbs of Bombay.

20. A Bill for the Regulation of Public Conveyances in the Town and Suburbs of Bombay.

21. A Bill to confer certain Powers on the Bombay Gas Company, Limited.

22. A Bill for the re-incorporation and re-constitution of the Bank of Bombay.

23. A Bill for the better Suppression of Frauds in the Cotton Trade in the Presidency of Bombay.

24. A Bill to Amend Act XV. of 1858 for the Levy of Port-Dues in the Port of Aden.

25. A Bill for the Regulation of the Vehar Water Works.

26. A Bill to enlarge the Jurisdiction of the Small Cause Court at Kurrachee.

27. A Bill for taking a Census of the Bombay Presidency.

H. BIRDWOOD,
Under Secretary.

(1) *A Bill to Amend Section XLV. Clause 1st of Regulation XIII. of* 1827.

The Judges of the late Court of Sudder Foujdaree Adawlut brought to the notice of Government that under the existing Law, European British subjects sentenced to hard labour, if confined in the Mofussil Jails, were obliged to be fettered; but that European Prisoners were not put in Irons in the House of Correction in Bombay nor in England, except when sentenced to death, or in cases of urgent and absolute necessity, of which due notice was always given to one of the visiting Justices.

The Honorable Judges suggested that Europeans should not be fettered in this country. The Government being of opinion that sentence of imprisonment with hard labour ought not necessarily to subject any man to the indignity of being fettered, determined to introduce a Bill to Amend the existing law. The above Bill was accordingly introduced. It provides that it shall be permissive, and not imperative, to fetter prisoners sentenced to rigorous imprisonment.

This Bill was passed as Act X. of 1862.

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(2) *A Bill for making better Provision for the Care of the Persons and Property of Minors in the Presidency of Bombay.*

During recent years several cases have come to the notice of the Judges of the Sudder Dewanee Adawlut in which the natural Guardians of Minors have made away with the Minors' estates. In these cases the District Judges have given orders regarding the charge of the property thus endangered, but in doing so they have acted in a manner which was not authorised by the existing law, though there can be no doubt that it would be very desirable to give them power to pass such orders.

The Sudder Court brought this defect in the law to the notice of Government, and suggested that a measure similar to the Bengal Act XL. of 1858 should be enacted for Bombay. To remedy the defect in the existing law the above Bill was prepared by the Judges of the Sudder Adawlut at the request of Government.

It was passed by the Council of the Governor of Bombay, but not assented to by the Governor General.

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(3) *A Bill to Abate the Nuisance arising from the Smoke of Furnaces in the Islands of Bombay and Colaba.*

The increase of smoke from furnaces used in the different Mills and Manufactories in Bombay, as well as in public and private buildings, where machinery worked by steam has been introduced, has of late years become very apparent.

With a view to abate the nuisance arising from the Smoke so produced, the above Bill was introduced. It was passed as Act VIII. of 1862.

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(4) *A Bill for the Levy of Port-Dues in the Ports of the North Canara District.*

Under instructions from the Right Honorable the Secretary of State for India in Council, the formal transfer of the Collectorate of North Canara (with the exception

of the Talooka of Cundapoor) from the Presidency of Fort St. George to that of Bombay, took effect on the 16th April 1862; and it was held to be expedient to make provision for the improvement and maintenance of the Ports in the said Collectorate by extending to them the provisions of the Port-Dues Act No. XXII. of 1855.

Under the above Bill the provisions of the said Act XXII. of 1855, are made applicable to the Ports of North Canara.

The Bill was passed as Act VII. of 1862.

(5.) *A Bill for Amending the Law relating to the Small Cause Court at Kurrachee.*

The first Clause of this Bill is taken from an Act lately passed by the Legislative Council of Bengal. There are numerous branches at Kurrachee of Bombay Firms, both English and Native, which are superintended by local agents; and the Sind Railway Company is also represented by an agent only. All these agents can bring suits in the Small Cause Court in the name of their Firms or Companies, but no actions will lie against any of those Firms or Companies in the Small Cause Court, because they are not personally within the jurisdiction. This state of the law has been felt to bear heavily on persons who have been sued by these Firms and Companies, and who have now no opportunity of filing cross actions. It seems also to be unfair not to give the servant of a Company which is represented here by agent the same facilities for recovering his demands against his master as he would have had if the agent had been in name as well as in fact his master. The provisions of the Bengal Act have been so far modified as to render necessary an order of Court for service on an agent. This modification is introduced to check Plaintiffs from summoning persons as agents of Defendants who have, in reality, no agents at Kurrachee.

The other clauses of this Bill are to enable the Court to receive and act upon Affidavit. It is questionable whether under the existing state of the law it can do so. The Judges of the Court, having other duties to perform, can only sit in the Small Cause Court three or four times a week. Their time on these days is fully occupied in disposing of the causes on the board, and they have no time left for taking evidence on miscellaneous business,—such as motions for new trials, for service of Summons out of the jurisdiction on Defendants, who have left the jurisdiction since the institution of suits, &c. The 2nd, 3rd, and 4th Clauses are framed to remedy these difficulties, by enabling the Court to take affidavits in support of or resistance to applications of this nature. Power is given to the Clerk to swear parties to their affidavits, for the convenience of the Court and suitors.

This Bill was passed by the Council of the Governor of Bombay, but was rejected by the Governor General.

(6.) *A Bill for further Amending Act XXVI. of* 1850.

Government being of opinion that the Municipalities in the Mofussil should be placed under the control of the Police Commissioners, the Remembrancer for Legal Affairs was on the 14th April 1860 requested to state whether there was anything in the Municipal Act XXVI. of 1850 to prevent the transfer of the control of these Municipalities from Government to the Police Commissioners of these Municipalities. The Legal

Remembrancer in reply stated that such a transfer was not contemplated by Act XXVI. of 1850. On a further reference being made to him, the Legal Remembrancer stated as follows :—

> "In Act XXVI. of 1850 there does not appear to me to be anything to prevent Government from conducting its correspondence on Municipal matters through the Revenue Commissioners, or from obtaining the opinions of those Officers on the Municipal Rules framed under Section VII. of that Act, or on the general working of the Act itself; but beyond this, the Revenue Commissioners would not be authorised to intervene, as consistently with the Act they could not exercise any mandatory powers. Every order, either with respect to the approval of Rules under Section VI. of the Act, or for the appointment of Commissioners under that Section, and every other order which Government may have power to make under the Act, must be made by Government, although such order may be suggested by or communicated through the Revenue Commissioners."

Copy of the correspondence on the subject was sent to the Government of India, with a suggestion that Act XXVI. of 1850 be amended so as to permit Government to appoint Commissioners with mandatory powers for the regulation and control of Municipal arrangements in the Mofussil.

No measure was introduced into the Council of the Governor General in consequence of the above reference.

The above Bill was accordingly introduced into this Council, and passed as Act IX. of 1862.

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(7) *A Bill to Extend the Jurisdiction of the Bombay Court of Small Causes, and to provide for the appointment of Additional Judges of that Court.*

The propriety and expediency of extending the jurisdiction of the Court of Small Causes in Bombay, which, under Act IX. of 1850, is now limited to suits of the value of Rupees 500, have been felt by the public and urged on the Government. It has been forcibly represented that unnecessary delay, inconvenience, and heavy loss are entailed on suitors by their being compelled to forego the advantages and facilities of the Small Cause Court when their demands exceed Rs. 500, and that the want of a tribunal of increased jurisdiction, and one in which justice is administered in the summary and expeditious manner prescribed by the Small Cause Court rules, operates as a prohibition or denial of justice to suitors in cases that are simple in their character, but in which the claim exceeds Rs. 500. As an evidence of the public preference of the Small Cause Court, it has been shown that plaintiffs have abandoned claims in excess of Rs. 500 for the purpose of bringing their cases within the jurisdiction of the Small Cause Court. This has been done to avoid the expense attendant on a trial in the Supreme Court, and to obtain a speedy decision. Such a course has, however, been decided to be illegal.

The Judges of the Supreme Court were in favour of increased powers being conferred on the Judges of the Small Cause Court, and suggested that their jurisdiction should be extended to cases where the matter in dispute did not exceed Rs. 1000, but that cases above Rs. 500 should be heard before a Barrister Judge, and that appeals to the Supreme Court should, under certain conditions, be allowed in such cases. They also proposed that when the amount in dispute exceeded Rs. 1000, parties might by consent have the case determined in the Small Cause Court.

They were also of opinion that jurisdiction similar to that provided in the (Irish) Acts of the 14th and 15th Vic. C. 57 should be given to the Judges of the Small Cause Court.

A Bill had been introduced into the Council of the Lieutenant Governor of Bengal to extend the jurisdiction of the Calcutta Court of Small Causes, and to provide for the appointment of Assistant Judges of that Court, and the object of the present Bill was to adopt a similar though more comprehensive measure in respect of the Small Cause Court in Bombay.

The Bill was passed by the Council of the Governor of Bombay, but did not receive the assent of the Viceroy.

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(8) *A Bill to Promote the Construction of Lines of Communication as Feeders to Railways, High Roads, Navigable Rivers, and Canals.*

A measure similar to the above was recently introduced into the Council of the Governor of Bengal for the purpose of making Laws and Regulations.

The Government of Bombay, considering that a similar Bill might with propriety be introduced into this Presidency, invited the Revenue Commissioners Northern and Southern Divisions, and the Chamber of Commerce, to submit their opinions and any suggestions that they might have to make as to the expediency of making the provisions of the Calcutta Bill applicable to this Presidency.

The Chamber of Commerce said that the Calcutta Bill appeared to them simple, and admirably adapted to promote the object in view.

The Revenue Commissioners were both in favour of the Bill, but recommended some alteration in it.

The above Bill was framed accordingly, but was withdrawn, as a general Act relating to this subject was passed by the Government of India.

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(9) *A Bill to Facilitate the Adjustment of Unsettled Claims to exemption from the payment of Government Land Revenue, and to Regulate the succession to and transfer of Lands wholly or partially exempt from the payment of such Revenue, in those parts of the Bombay Presidency which are subject to the operation of Act XI. of* 1852 *of the Legislative Council of India.*

In a retrospect by the Bombay Government in 1856 of the results and progress of the inquiries which had been made into the alienations of the Public Revenue under Act XI. of 1852 in the Deccan, Southern Maratha Country, and Khandeish, and other more recent acquisitions, the Government came to the conclusion that it was desirable to adopt measures to expedite the completion of these inquiries, and after discussion with the Government of India, as to the best means to be adopted for this purpose, a summary settlement of the nature of a compromise between Government as representing the

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interests of the State on the one hand, and the holders of the alienated lands on the other, was proposed for the consideration of the Government of India, in a letter dated 29th April 1859, from which the following is an extract :—

"His Lordship in Council has been for some time past of opinion that a more speedy settlement of alienated lands throughout this Presidency is urgently called for. The slow progress of the Inam Commission, a necessary consequence of careful scrutiny into every individual claim, is a great evil, for it keeps the whole body of holders of alienated Revenue, whose titles have yet to be inquired into, in a state of constant uncertainty; and His Lordship in Council has come to the conclusion that the Inam Commission ought not to be continued on its present basis, and that still less would it be expedient to extend its operations to districts into which it has not yet been introduced.'

* * * * * * * * * *

"The basis of the proposed settlement is a combination of a light quit-rent and Nuzzurana, or succession duty, in return for which the lands will be secured to the holders as private property; the privileges of adoption and of transfer by sale or otherwise will be conceded, and all necessity for further inquiry into title will cease."

The Government of India approved generally of the principles of the measures recommended to them by the Bombay Government, and on reference to Her Majesty's Government, the Principal Secretary of State for India, in a despatch dated 18th April 1860, gave his sanction for the preparation of an enactment which would legalise the intended arrangement throughout the Bombay Presidency.

In accordance with these instructions, a Draft of a Bill was forwarded to the Government of India at the beginning of 1861, which, after being fully discussed in the Legislative Council of India, was read a second time on the 6th July of last year.

Previously to the further progress of that Bill, however, the Indian Council's Act having come into force, and the Bill being one of a purely local nature, it was returned by the Government of India, to be brought in due course before the Local Legislature.

In the meanwhile, the Bombay Government being anxious to bring to a close the operations of the Inam Commission in those districts to which its inquiries extended, and to give to the alienees in those districts as soon as possible the advantage of the proposed settlement, the general principles of which had been approved of, directed the local Officers to give effect to the scheme throughout the districts subject to the operations of Act XI. of 1852.

An offer of settlement was accordingly made during the last year to the holders of Inam Lands, and the result has been that out of 40,878 holders on whom notices were served, the settlement had, up to the 30th April last, been assented to and completed in the case of 38,764 holdings, demands for inquiry have been made in only 35 cases, and it was uncertain at the date of making up the return whether in the remaining cases the summary settlement was or was not accepted.

The practical effect which under the orders above adverted to has thus been given in the districts of the Bombay Presidency subject to the operation of Act XI. of 1852 to the summary settlement, has rendered it desirable that the Bill now to be introduced should have respect exclusively to those districts; the objects of the Bill shortly being to legalise the settlements which have already been entered into, and to provide for those still remaining to be completed in those districts.

A separate Bill will be introduced into the Legislative Council for a summary settlement of the claims to alienated Lands in the districts of this Presidency not subject to the operation of Act XI. of 1852, under conditions appropriate to the law and tenure existing in those districts.

This Bill was passed as Act II. of 1863.

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(10) *A Bill for the Registry of Vessels and Levy of Pilotage Fees on the River Indus.*

It having been found necessary to raise funds for the Conservancy of the River Indus, a set of Rules for the Registry of Vessels and levying of Fees was issued by the Commissioner in Sind on the 20th December 1861, and notified in the *Government Gazette* of the 2nd January 1862.

In the year 1849 a Pilot Establishment was instituted at the mouths of the Indus, and fees have ever since been levied on all vessels passing through them. A set of rules for this Pilot Establishment was issued by the Commissioner in Sind on the 27th November 1861, and notified in the *Government Gazette* on the 12th December 1861.

The necessity of providing funds for the Conservancy of the River, and of maintaining a Pilot Establishment at its mouth still exists, and it appears desirable that the Rules regulating the Registry of Vessels and the levy of Pilotage Fees should have the force of Law, and that Officers should be indemnified for acts heretofore done in accordance with such Rules, but without the authority of any law.

The present Act has been drawn up to secure these objects. It provides for the levy of registration fees, and for expending the same on the Conservancy of the River. It provides a Scale of Pilotage Fees (the same as has existed from 1849 to 1861) on all Vessels passing through the mouths of the Indus, and enacts that the same be devoted to the maintenance of the Pilotage Establishment, and the erection and maintenance of Beacons to mark the Channels. It is believed that the Funds which will be realised under this Act will be no more than sufficient to defray the Conservancy and Pilotage expenses.

This Bill was passed as Act No. I. of 1863.

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(11) *A Bill for the Regulation of the District Police in the Presidency of Bombay.*

Act V. of 1861 was passed with the intention of making it applicable to all parts of India.

It was proposed to introduce it into this Presidency, but Sir George Clerk's Government objected to it, and it is now proposed to introduce such parts of it as are applicable to this part of the country in which the Village Police exists, whose status was not to be affected by the General Police Act.

The vast size of the Zillahs or Districts on this side of India, as compared with those in Bengal and the North-West Provinces, prevented the introduction of the whole Act V. of 1861, and were the size of the Zillahs or Districts reduced, the expense that would be incurred would not justify the change. It is therefore proposed to consolidate certain portions of former Police Regulations, and to enact parts of Act of V. 1861 with

such modifications as will make it applicable to our large Zillahs and Village Police, and to repeal and re-enact the provisions of Chapter VI. Regulation XII. A.D. 1827, providing for the Village Police, in such a form as to adapt it to the Act for regulating District Police.

This Bill is still under the consideration of the Council of the Governor of Bombay.

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This Bill is still under the consideration of the Council of the Governor of Bombay.

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(13) *A Bill to enable Magistrates to Depute to Subordinate Magistrates Power to try certain Offences punishable under the Indian Penal Code, and to enable District Police Officers to try certain Minor Offences specified in Chapter XIV. of the Indian Penal Code.*

The great size of the Zillahs in this Presidency makes it desirable that the powers conferred by the Code of Criminal Procedure on the Magistrate and Subordinate Magistrate of the first class should in certain cases be exercised by any Magistrate.

The object of the first Section of the accompanying Bill is therefore to authorise the Magistrate to depute to any Subordinate Magistrate the power to try certain offences punishable under the Indian Penal Code.

The second Section of the Bill is proposed at the recommendation of the Judges of the late Sudder Adawlut, who considered it very desirable that District Police Officers should be empowered to deal with the petty cases of nuisance mentioned in the Sections of the Indian Penal Code referred to, the work imposed on the Assistant Magistrates by the introduction of the Criminal Procedure and Indian Penal Codes being much increased.

This Bill is still under the consideration of the Council of the Governor of Bombay.

(14) *A Bill to entrust Landholders with the charge of the Police with in their respective Lands.*

It is provided in Section 442 of the Code of Criminal Procedure that nothing in that Act (XXV. of 1861) shall be held to alter or affect the jurisdiction, duties, or procedure of Landholders specially empowered according to Law in the Presidency of Bombay. But notwithstanding this proviso, it was brought to the notice of Government by the Court of Sudder Adawlut that Regulation XV. A.D. 1827, under which the Landholders exercise jurisdiction, is repealed by Act XVII. of 1862. It became, therefore, a question whether the Landholders should be deprived of their Sunnuds and the powers which were secured to them in 1861, and they be reduced to the status of simple Ryots; or whether their powers should be revived, with such modifications as would adapt their powers and procedure more to the spirit of the present Code.

It was determined to adopt the latter course, and with that view the accompanying Bill has been drawn out in modification of the provisions of Regulation XV. A.D. 1827.

This Bill is still under the consideration of the Council of the Governor of Bombay.

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(15) *A Bill to Amend Act XVIII. of* 1862, *so far as regards Prisons and Jails.*

In a letter dated 12th May 1862, the attention of the Judges of Her Majesty's Supreme Court was called to a Bill then before the Council of the Governor General "to repeal Act XVI. of 1852 in those parts of British India in which the Indian Penal Code is in force, and to re-enact some of the provisions thereof with amendments; and further to improve the administration of Criminal Justice in Her Majesty's Supreme Court of Judicature," and they were requested to favour Government with such remarks or suggestions as they might desire to offer on the subject.

In reply to the above reference the Judges remarked as follows:—

2nd. "The Bill became law on the 1st May 1862, so far as regards the Supreme Court at Calcutta."

3rd. "We see no objection to Act XVIII. of 1862 being allowed to take effect here in accordance with its preamble as a temporary measure, provided that Bombay be relieved, as speedily as practicable, by Legislative enactment from the operation of Sections 47, 48, and 53, which fetter the discretion heretofore exercised by Judges (upon sanitary or other sufficient reasons) in selecting or altering the one place of imprisonment or the other, in Bombay, that in which a sentence of hard labour or the intermediate custody of Penal convicts should be carried out."

4th. "We would also suggest that those Sections may be constructed to take away *pro tanto* the power now possessed by the Governor in Council of transferring prisoners from an overcrowded Jail to any other in the Presidency."

5th. "We think that the Legislature should declare in what offences peremptory challenge should be allowed. We presume that it was not intended to abrogate within the jurisdiction of the Supreme Courts this Common Law and ancient statutable right of the subject."

6th. "Heretofore the right to such challenge was attached to a class of offenders designated as "Felony," but the Penal Code does not recognise any offence by that designation, nor does it express any equivalent for it."

7th. "In the allowance and disallowance of this right, Judges can only act now by analogy, which is unsatisfactory, and must almost necessarily lead to a difference of practice in each Presidency Court."

8th "It is most desirable that so important a right of the subject should be uniformly administered."

To carry out as far as possible the recommendation of the Honorable Judges contained in paragraph 3 of their reply, a notification was published in the *Bombay Government Gazette* of the 3rd July 1862, declaring that in accordance with the provisions of Section LV. of Act XVIII. of 1862, the said Act was to take effect in Her Majesty's Supreme Court of Judicature in Bombay on and after the 3rd day of July 1862.

This Bill provides for carrying out the other recommendations made by the Judges of Her Majesty's Supreme Court.

It was passed by the Bombay Council, but was rejected by the Viceroy. It was, however, passed by the Council of the Governor General with few verbal alterations.

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(16) *A Bill for bringing under the Regulations and Acts of the Presidency of Bombay the Province of Sattara, certain Villages and lapsed States in the Collectorate of Sholapore and in the Southern Maratha Country, certain lands ceded to the Government of Bombay for Railway purposes, and the District of North Canara, with the exception of the Talooka of Cundapoor; and for excluding the Village of Moochundee, Purgunna Jutt, from the operation of the Regulations and Acts of the Presidency of Bombay.*

The object of this Bill was to provide for the better administration of justice in the Province of Sattara and certain Villages in the Sholapore Collectorate and the Southern Maratha Country, which had not up to that time been made subject to the operation of the General Regulations and Acts affecting the Bombay Presidency; certain villages and lands had also been ceded by his Highness the Guicowar and the Nawab of Sucheen to the Government of Bombay for Railway purposes, and it was desirable that such villages and lands should be made subject to the Regulations and Acts; the District of of North Canara also, which formed a part of the Presidency of Fort St. George, had (with the exception of the Talooka of Cundapoor) been recently transferred from the Presidency of Bombay. It was necessary therefore to bring it under the Laws of the Presidency of Bombay. Also the village of Moochundee, Purgunna Jutt, in the Sattara Territory, had been inadvertently included in Act VI. of 1842, by which certain villages in the Southern Maratha Country were brought under the operation of the Regulations and Acts of the Presidency of Bombay. It was necessary to correct this error.

For this and for the other purposes already mentioned, the above Bill was introduced, and was finally passed as Act No. III. of 1863.

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(17) *A Bill for the Summary Settlement of Claims to Exemption from the Payment of Government Land Revenue, and for Regulating the terms upon which such Exemption shall be recognised in future in those parts of the Bombay Presidency which are not subject to the operation of Act XI. of 1852 of the Council of India.*

A Draft Enactment has been some time before the public, whereby it was proposed to effect a summary settlement of the tenures of alienated lands and a compromise of

the claims of Government, on the ground of defective title, to assess such lands, with certain specified exceptions, throughout the Presidency of Bombay.

After a careful discussion and scrutiny of the proposed Bill, it has not been found convenient to bring under the provisions of a single enactment the alienated tenures of districts which have been placed in respect of these tenures under distinct and separate laws.

The substance of the previously proposed Enactment has been remodelled into a Bill, which has already been published, for the adjustment by a summary method of the unsettled claims to exemption from the payment of Government Land Revenue, and the regulation of the succession to, and transfer of, lands wholly or partially exempt from the payment of such revenue, in those parts of the Bombay Presidency which are subject to the operation of Act XI. of 1852 of the Legislative Council of India.

The present Enactment is intended by provisions more directly appropriate to the requirements of the districts which were brought under Chapters IX. and X. of Regulation XVII. of 1827, and Regulation VI. of 1833, to extend to the alienated landholders of Guzerat and the Concans a like opportunity of summarily adjusting their claims to exemption from assessment, and settling the terms on which such exemption will in future be recognised. And as the Enactments by which claims to hold land wholly or partially exempt from payment of Land Revenue have hitherto been adjudicated or defined are unsuited to the objects of the proposed Enactment, they are repealed by the present Act, and other provisions are enacted, both for the trial of the claims of holders by whom an inquiry into title is demanded, and for the better definition of the terms on which Government will continue to recognise the rights of other holders which are not capable of summary adjustment.

This Bill was passed as Act No. VII. of 1863.

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(18) *A Bill for the Establishment and Regulation of Reformatory Schools for Juvenile Offenders.*

His Excellency the Right Honorable the Governor General having, for reasons given in His Excellency's Minute of the 25th July 1862, withheld his assent from the "Act for the Establishment and Regulation of Reformatory Schools for Juvenile Offenders" passed by the Council on the 28th March 1862, the above Bill was submitted to the Council. This Bill was framed so as to be free from the objections which had been made to the former Bill.

The following is the Minute by the Right Honorable the Viceroy referred to above:—

"I am unable to give my assent to this Bill in its present form for the following reasons:—

Firstly—Because it imposes on persons escaping from or rescuing from or allowing offenders in their custody to escape from Reformatories heavier penalties than those to which persons are liable who commit the corresponding offences in the case of ordinary prisons.

Secondly—Because, although it may be contended that as Reformatories are not Prisons, the discrepancy above referred to does not involve any technical alteration of the Provisions of the Penal Code, the imposition of the heavier penalty for the minor offence is not consistent with a substantial adherence to its spirit, or to

the principle laid down in the following extract from a letter of the Law Commissioners, by whom the preparation of the Indian Penal Code was originally undertaken, to which the attention of the Governor General in Council has been specially directed in a recent despatch :—

"It appears to us also highly desirable that if the Code shall be adopted, all those penal laws which the Indian Legislature may, from time to time, find necessary to pass should be framed in such a manner as to fit into the Code. The language ought to be that of the Code. No word ought to be used in any other sense than that in which it is used in the Code. The very part of the Code in which the new Law is to be inserted ought to be indicated. *If the new law rescinds or modifies any provision of the Code, that provision ought to be indicated.* In fact, the new law ought, from the day on which it is passed, to be part of the Code, and to affect all other provisions of the Code, and to be affected by them, as if it were actually a Clause of the Original Code. In the next Edition of the Code the new law ought to appear in its proper place.

Thirdly—Because in replying to the inquiries addressed to him by the Secretary to the Government of India in the Home Department on this point, the Secretary of the Bombay Government states "the part referred to by you, viz. that the Penalties imposed in the Bill on persons escaping from or rescuing from or allowing offenders in their custody to escape from Reformatories, are heavier than those to which under the Penal Code persons are liable who commit the corresponding offences in the case of an ordinary prison, was not specially considered while the Bill was passing though the Legislature;" and further, that "His Excellency sees no reason to disapprove of the Act because the Bombay Legislature followed as exactly as circumstances permitted the provisions of Imperial Acts rather than the analogy of the Penal Code."

Even if these propositions could be assented to without disparagement to the principle above quoted, or to the authority and consistency of the Indian Penal Code, they would hardly be applicable to the case; for the penalties imposed by the Bill for the Establishment and Regulation of Reformatory Schools for Juvenile Offenders, passed by the Council of Bombay, are not taken exclusively from Acts of the Imperial Parliament for the Establishment and Regulation of Reformatories, but mainly from the Act for the Establishment of the Parkhurst Prison, which is an Institution of a very different character.

This Bill was passed by the Council of the Governor of Bombay, and has been submitted for the assent of the Governor General.

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(19) *A Bill to Regulate the Burial or Disposal of the Dead in the Town and Suburbs of Bombay.*

The practice of disposing of the Dead in the midst of crowded Cities and large Towns has been long acknowledged to be injurious to the Public Health.

The evils resulting from such a system in England, and which are of tenfold force in a Tropical climate, were so notorious some years ago, that the subject was continually being pressed upon Her Majesty's Government, and at length Burial Acts were passed by which the system of intramural burial was totally suppressed. (*Vide* 13 and 14 Vict. C. 52, 15; and 16 Vict. C. 85; and 16 and 17 Vict. C. 134.)

The over-crowded state of the Bombay Graveyards, the ever increasing population, and the existing arrangements for disposing of the dead, are well known, and a remedy is urgently required for a very great and pressing evil. Thousands of persons die annually on the Island whose bodies are interred, burnt, or exposed in situations directly to windward of the most crowded parts of the Native Town.

The accompanying Bill proposes to give power to the Governor in Council to regulate the opening of New Burial Grounds or places for the disposal of the dead, and to close any Burial Ground or places hitherto used for the disposal of the dead within the Town and Suburbs of Bombay which may be considered obnoxious to the Public Health or Public Decency.

The Bill is framed upon the model of the Statute 16 and 17 Victoria C. 134, "An Act to amend the laws concerning the Burial of the Dead in England beyond the limits of the Metropolis, and to amend the Act concerning the Burial of the Dead in the Metropolis."

This Bill was introduced, but afterwards withdrawn.

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(20) *A Bill for the Regulation of Public Conveyances in the Town, Island, and Harbour of Bombay.*

On the 20th September 1861, Mr. Erskine, the Legislative Councillor at Calcutta for Bombay, forwarded a copy of the amended Bill for "Regulating Public Conveyances in Cities and Towns in British India," and requested to be informed whether the Bill, or some modification of it, would be acceptable in Bombay, and meet the wants of Kurrachee.

Inquiries were addressed to the Commissioner of Police, Bombay, and the Commissioner in Sind; in reply to which, Mr. Crawford, the Police Commissioner, reported that he considered the proposed Bill to be a very good one, and well calculated to secure the object in view, as far as the public carriages referred to are concerned; but he pointed out that there are now about six thousand bullock carts used in the Town of Bombay for the carriage of goods only, and that more than half of these are let out on hire. He also pointed out that Act No. IV. of 1841, which it is proposed to repeal by the present Bill, provides also for the regulation of conveyances used for the carriage of passengers and goods to and from the shipping in the Harbour. For the regulation of these two classes of conveyances (bullock carts and boats) no provision had been made in the proposed Bill. He considered that all these conveyances should be brought under proper control, and that unless some law were passed, the public would be subjected to much inconvenience and extortion.

The Commissioner in Sind expressed an opinion that the Bill might with advantage be extended to Kurrachee.

A Bill was accordingly framed by the Police Commissioner from the Calcutta Act with the alterations and additions proposed by him. It was forwarded for opinion to the present Commissioner in Sind, who has replied that the Act appears in the main well-suited to the requirements of Kurrachee.

The present Bill has been taken mostly from the one submitted by the Commissioner of Police, but many of the improvements introduced into the Calcutta Bill as amended by the Select Committee have been adopted in this.

This Bill was passed as Act No. VI. of 1863.

(21) *A Bill to confer certain Powers on the Bombay Gas Company, Limited.*

"The Bombay Gas Company, Limited," has been formed and completely registered in London under the Joint Stock Company's Act 1856 with Limited liability, and has obtained a Certificate of Incorporation under the name of "The Bombay Gas Company Limited."

The objects for which the Company is established are as stated in the Memorandum of Association:—

1*st.*—To purchase or accept Leases of plots of land in the Presidency of Bombay and elsewhere, in British India, and such buildings, warehouses, houses, offices, gas-works, plant, machinery, mains, pipes, stores, utensils, and things used and employed therein, as may be then erected, and where necessary to erect the same.

2*nd.*—To purchase such concessions as may be granted by the Government of any or either of the British possessions in India to other persons, and the buildings, works, and premises erected on the land included in such concessions.

3*rd.*—The manufacture and supply of Gas in the Presidency of Bombay or elsewhere, in any of the British possessions in India.

4*th.*—The carrying on the business of Gas Manufacturers and Gas Fitters in Bombay or elsewhere in India.

5*th.*—And as auxiliary thereto, the purchasing, chartering, or freighting vessels for supplying the works of the Company with coal and other materials necessary or expedient for carrying on their operations, or conveying the coke produced at the said works for sale to any place or places.

6*th.*—The doing of all such other things as are incidental to or conducive to the attainment of any of the above objects, or the carrying on the business of Gas Manufacturers and Gas Fitters.

The Capital of the Company is £250,000, in 50,000 shares of £5 each. The first Issue 20,000 shares.

The Company has contracted for the purchase of land as a site for their works at Chinchpoogly in the suburbs of Bombay, has sent its Engineer to Bombay, and is now engaged in the preparation of apparatus and materials for the supply of Gas for lighting the Town and Suburbs of Bombay.

The present Bill, intituled a "Bill to confer certain powers on The Bombay Gas Company, Limited," is introduced to give certain powers and facilities to the Company to enable it to carry out its undertaking of lighting with Gas the Town and Suburbs of Bombay, power being reserved to extend such powers and facilities to the operations of the Company in other Towns and places within or subject to the Presidency of Bombay.

The Bill contains 28 Clauses.

The First Clause gives the Company power to break up streets and bridges, to open and break up sewers, &c., to lay down pipes, &c., and to repair, alter, and remove the same; to make sewers for carrying off waste liquids, to erect pillars, lamps, &c., making compensation for any damage done.

The Second Clause provides that the Company is not to enter on private land without consent, except to lay a new pipe in the place of an existing pipe, and to repair or alter pipes.

The Third Clause provides for the service of notice by the Company before breaking up streets or opening drains.

The Fourth Clause enacts that streets and drains are not to be broken up except under superintendence of persons having control of the same, and provides that if the persons having such control fail to superintend, the Company may proceed with the work.

The Fifth Clause provides that streets, &c. broken up are to be reinstated without delay.

The Sixth Clause imposes a penalty on the Company for delay in re-instating streets, &c.

The Seventh Clause provides that in case of delay or omission the persons having the control of the streets, &c. may re-instate and recover the expenses from the Company in manner therein mentioned.

The Eighth Clause empowers the Company's officer to enter buildings to inspect meters, &c. and to ascertain the quantity of Gas supplied.

The Ninth Clause provides for the recovery by the Company of rents due for Gas.

The Tenth Clause empowers the Company to take away pipes in all cases in which the Company are authorised to cut off the supply of Gas.

The Eleventh Clause provides that meters are not liable to distraint for rent, &c.

The Twelfth Clause imposes penalties for the fraudulent use of Gas.

The Thirteenth Clause imposes penalties for wilfully damaging pipes, extinguishing public lamps, &c.

The Fourteenth Clause provides that every person accidentally damaging pipes, &c. shall pay to the Company such sum not exceeding Rupees Fifty as a Magistrate shall think reasonable.

The Fifteenth Clause imposes penalties on the Company for corrupting water.

The Sixteenth Clause imposes a daily penalty on the Company during the escape of Gas after notice.

The Seventeenth Clause imposes a penalty on the Company whenever any water is fouled by Gas.

The Eighteenth Clause gives the Company power to examine Gas pipes to ascertain the cause of water being fouled.

The Nineteenth Clause provides that the expenses of such examination shall abide the result.

The Twentieth Clause provides how such expenses are to be ascertained.

The Twenty-first Clause provides that nothing in the Act shall prevent the Company being liable to indictment for nuisance, &c.

The Twenty-second Clause provides for copies of the Memorandum and Articles of Association of the Company and of all Regulations being kept at certain offices in Bombay.

The Twenty-third Clause provides for the service of process.

The Twenty-fourth Clause provides for the recovery of penalties, &c.

The Twenty-fifth Clause provides for the levy of penalties, &c. by distress.

The Twenty-sixth Clause enacts that no distress shall be unlawful for want of form, &c.

The Twenty-seventh Clause renders it lawful for the Governor in Council to extend the Act to other Towns or places in the Presidency of Bombay.

The Bill is almost similar to Act V. of 1857, entitled "An Act to confer certain powers on the Oriental Gas Company, Limited," which Act is copied almost Section for Section from the English Act 10 and 11 Vict. C. 15.

In the present Bill the penalties for fouling water (*vide* Clauses 15 and 17) have been respectively reduced from Rupees 500 to Rupees 250, from Rupees 200 to Rupees 100, and from Rupees 100 to Rupees 50, it being considered that the latter sums inserted in the Oriental Gas Company's Act were excessive.

This Bill was passed as Act V. of 1863.

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(22) *A Bill for the Re-incorporation and Re-constitution of the Bank of Bombay.*

The object of the present Bill is to grant to the Bank a new Charter of Incorporation, similar in most respects to the old one, but adapted to the change in the law and to the altered circumstances of the Bank, consequent upon the withdrawal, in pursuance of Act XIX. of 1861, of the privilege to issue Bank Notes payable to bearer on demand, and upon the transfer of the Bombay General Treasury to the Bank and the acceptance by the Bank of an agency of issue, payment, and exchange of the Government Notes, payable under the Currency Act, in accordance with the provisions of Act XXIV. of 1861.

This Bill was passed as Act X. of 1863.

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(23) *A Bill for the better Suppression of Frauds in the Cotton Trade in the Presidency of Bombay.*

The object of the present Bill is to provide, if possible, an efficient remedy for the great and growing evil of cotton adulteration.

The nature and extent of the evil have latterly attracted much attention here and in England; they have been strongly pressed on the notice of Government, and the members of a Commission lately appointed by Government to inquire into the matter have unanimously recommended the passing of the Bill now proposed. In doing so they have reported as follows:—

"We have ascertained beyond doubt that the adulteration of cotton is a great and growing evil; that it has attained during the past year an extent and impudence never before reached; that in some districts it is openly, systematically, and universally practised; that in Broach particularly it has been encouraged by the withdrawal of the Government inspections at the time of shipment, which was for many years practised there with most beneficial results; and that the law as it now stands has utterly failed to check it.

"Regulation III. of 1829, Act X. of 1851.

"It has been proved beyond a doubt that in Guzerat it has been the custom systematically to adulterate cotton by the admixture, after cleaning, of kunkus, sand, stones, and other rubbish; that in the Southern Mahratta Country, new Orleans and cotton in its pure state is hardly ever allowed to come to market; and that in

Bombay itself establishments exist for the purpose of mixing the superior cotton of this Presidency with those of inferior quality, as well as with the short-stapled cottons of Bengal and China, which have latterly been imported for the purpose.

"The evil has been found to be so great and wide-spread that in our opinion nothing but energetic action of Government will suffice to check it; the existing laws have been proved to be insufficient, and additional legislation seems therefore to be imperatively necessary."

This Bill was passed as Act IX. of 1863.

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(24) *A Bill to Amend Act XV. of 1858 for the Levy of Port-Dues in the Port of Aden.*

In order to defray the cost of the maintenance of the Harbour Establishments at Aden, and to provide funds for the proper management and regulation of that Port, the levy of a port-due, at a rate of one anna on every ton of burden from vessels exceeding ten tons, was authorised by Act XV of 1858. This rate has, however, been found insufficient for the purposes for which it is collected, and the result is that the fund is now burdened with a debt of upwards of Rs. 24,000. During the last year the receipts amounted to Rs. 7,075-8-2, whereas the charge for maintenance of Establishments and necessary items of expenditure in connection with the Port amounted (after every practicable reduction had been made by the Political Resident) to Rs. 14,301. It is therefore proposed by this Bill to double the existing rate of the dues so as to provide a sufficient income; that is to say, it is intended to raise the rate from one anna to two annas on every ton of burden, which rate is the same as that now levied at the Port of Bombay, and is only half the rate levied at Calcutta, Kurrachee, and elsewhere.

This Bill was passed as Act IV. of 1863.

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(25) *A Bill to Provide for the Management of the Vehar Water Works.*

In consequence of the dearth of water experienced in the Island of Bombay in the hot weather of 1845 and subsequent years, the Government were led to forward to the Board of Conservancy a scheme which had been proposed by the late Colonel Crawford, who then held the appointment of Superintendent of Repairs, for the supply of water for the Island by the formation of a reservoir in the hills of Salsette near Vehar, with the request that the Board would state how far they would be prepared to aid Government in carrying out the scheme.

With that correspondence the Government transmitted to the Board a report by Lieutenant-Colonel DeLisle (then Lieutenant DeLisle) who had been deputed in 1851 to make a survey of the ground and report upon the project.

The Board of Conservancy, in turn, referred Lieutenant DeLisle's report to their Superintendent of Repairs for the time being, Mr. Conybeare, for his report. The result of this reference was the very elaborate report which was submitted to Government by the Board of Conservancy, with their letter No. 50, dated 10th March 1853, in which they state in reply to the question put to them by Government, as to how far they would be prepared to aid the Government in completing the project, that "they

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were prepared to recommend to the Bench of Justices that one-third of the cost should be borne by the public, and that this should be defrayed by a special assessment, yielding from Rs. 50,000 to Rs. 75,000 per annum, this amount being paid annually to Government from the Municipal Fund until the contribution of one-third should be completed.

Mr. Conybeare, in his report stated that he considered Lieutenant Dallas's project, which was estimated to cost [illegible] of Rupees, to be ineffective, and he was of opinion that the cost would, under the most favourable circumstances, amount to 10 shillings, or Rs. 5 per head of the population, or about 45 lacs of Rupees; and in a correspondence that took place between the Government and the Board of Conservancy, it was agreed that the Government should advance the capital for the completion of the work, and the distribution of the water on the condition that the Municipal Fund should remit to Government a return of 3 per cent. on the capital so appropriated.

Under date the [illegible] March 1856, the Board submitted a second report on the proposed scheme, which was prepared [illegible] Colonel Crawford. In this report it was estimated that the works would cost [illegible],033, but Colonel Crawford stated that it was impossible to estimate their ultimate cost, as that depended greatly upon the pipes which the pipes could be laid down for Bombay, and that as the price of iron was liable to considerable fluctuations, the works in all probability would exceed the sum at which Mr. Conybeare had estimated them, for the price at which he had laid down pipes was low.

These proceedings were duly reported to the Government of India, who were requested to sanction the commencement of the work, but in a letter dated 7th December 1857 they refused their consent to the advance of the necessary sums of money in the following words:—

"That until the formal reply of the Municipality is obtained to the payment of interest at 4 per cent. per annum on the capital to be advanced, whatever the amount may be, also to the payment of such further sums as may be necessary to provide for the cost of maintenance of the work when completed, His Lordship in Council is of opinion, however desirous he may be of forwarding the project, that the Government of India cannot justify to the Home Authorities a consent to advance the large sums required for the construction and completion of the dam."

A reference on the subject was in consequence made to the Municipality, and their assent having been given to the conditions [illegible] that authority, [illegible] Government to enter into such arrangements as might be necessary generally, on the understanding that the total amount to be advanced should not exceed Rs. 25,00,000 only. The Government of India at the same time directed that a draft of an Act providing for the payment of interest on the sums advanced in conformity with the conditions agreed to, should be forwarded for their approval; and in a subsequent communication [illegible] they stated that it would be necessary in the draft to make provision for the repayment of the capital.

Instructions were accordingly sent to the Government Solicitor to prepare a draft Act, which was forwarded to the Government of India on the 25th July 1857. Intervening correspondence took place between the Government of India, the Municipality and the Government of Bombay, relative to the construction of the dam,

Water Works being limited to 25 lacs of Rupees, and in an elaborate Resolution, dated 24th April 1857, the Government summed up the question in the following words :—

"As the Worshipful Bench assented, in 1854, to legalise a water-rate on occupiers of houses, &c. at the rate of 6 per cent. on their annual value, or such higher rate as would suffice to pay interest at 4 per cent. on an unlimited capital, which unlimited capital also they subsequently consented to endeavour to repay, the Right Honorable the Governor in Council considers that they would not be justified in now insisting upon the restriction referred to in paragraph 3 of their present letter. * * * * At the same time His Lordship in Council is ready, in lieu of the Draft Act, to agree to any other means for securing on the Municipal Fund what he considers to have been prescribed by the Government of India, and to have been the object of the negotiations above described, viz. the repayment of the outlay made by Government within 43 years, with interest at 4 per cent., and the maintenance of the works. He has already in paragraph 43 of the Government letter No. 648, dated 19th March 1857, suggested an arrangement which he thinks will, if sanctioned by the Government of India, be far more advantageous to the Municipality than any other which could be adopted in order to effect a settlement of the debt on account of the Water Works. * * * * *

In their reply to the foregoing Resolution, the Bench, whilst they maintained that they were only justly liable to repay 25 lacs of Rupees, offered to devote annually a sum equal to 6 per cent. on 25 lacs of Rupees for the payment of that sum, principal and interest at 4 per cent., and also to devote a further sum equal to 6 per cent. on half the capital expended beyond the sum of 25 lacs of Rupees, for the liquidation of half of the additional capital outlay with interest at 4 per cent.

The Bombay Government reported the correspondence which had taken place to the Honorable Court of Directors, and in doing so submitted a recommendation that the Municipality should be relieved of all the expense that might be incurred over and above the 25 lacs of Rupees, and stated that should the Honorable Court be unable to accede to that request, they would recommend the acceptance of the offer made by the Bench described in the last preceding paragraph.

To this despatch the Honorable Court sent a reply, in which they consented that a moiety of the excess beyond 25 lacs of Rupees should be regarded as a grant-in-aid contributed by the State; and the Supreme Government, to whom an extract of the Honorable Court's Despatch was forwarded, authorised that the Draft Act which they had directed to be prepared, providing for the repayment of the whole capital, should be modified " in conformity with the concession which the Honorable Court are willing to make in favour of the Municipality of Bombay."

Copy of this letter from the Government of India was communicated to the Bench, but no further correspondence appears to have taken place relative to the amount to be paid by the Municipality, until the letter from the Clerk of the Peace No. 8, dated 12th February 1862.

In this letter Her Majesty's Justices, after recognising the fact that the Municipality is bound to pay 25 lacs, plus *half* of any excess which may have been incurred by Government in the construction of the works, with 4 per cent. interest on the unpaid balance, suggested that as they consider that Government not to be in a position to hand over perfect works, the works as they now stand should be made over to them on payment of 25 lacs of Rupees plus *one-third* of the excess.

This letter having been referred to the Government Law Officers, Mr. Westropp, then Acting Advocate General, recommended resort to legislation to settle the questions pending between the Government and the Municipality.

It is in consequence of this recommendation that the present Bill has been prepared. Its object is to provide for the transfer of the works to the Municipality on the terms sanctioned by the Home Authorities and the Government of India, and to vest the charge and maintenance of the Works in the Municipal Commissioners, as also to give them powers to impose water-rates, and to confer upon them authority to enforce the payment of these rates. Provision is also made for the inspection of the Works by the Government Officers, and for the manner in which Government is to proceed in the event of the Municipal Commissioners failing to perform their duties under the Act.

This Bill was passed by the Council of the Governor of Bombay, and has been submitted for the assent of the Governor General.

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(26) *A Bill to enlarge the Jurisdiction of the Court of Small Causes at Kurrachee and to Facilitate the transaction of Business therein.*

His Excellency the Governor General having declined to give his assent to the Bill passed by the Governor in Council of Bombay for enlarging the Jurisdiction of the Small Cause Court at Kurrachee on the grounds—(1) That the 1st Section gave to the Court the jurisdiction over principals having Agents within the jurisdiction of the Court in respect of matters connected with the Agency not only of such Agents, but also in respect of other matters of such principals"; and (2), because under the second section applications instead of being admissible in support or resistance of interlocutory motions only would become admissible for all purposes, the present Bill has been drafted with a view to obviate these objections while securing the advantages originally contemplated.

This Bill was passed as Act VIII. of 1863.

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(27) *A Bill for taking a Census of the Bombay Presidency.*

Attempts at a computation of the population of Bombay have been made at various times from A.D. 1716, when the inhabitants were roughly estimated at 16,000, down to 1849 and 1851, when the numbers had increased to upwards of half a million. Little confidence, however, can be placed on any of these estimates; even the last and most carefully planned scheme of enumeration having suffered from several causes, which only to be obviated by an Act settling the principle which the Census is to proceed and enforcing by the requisite sanctions promptness and good faith in furnishing the separate Returns, on the correctness of which the value of the general results must wholly depend.

The interest which formerly attached to this subject has been greatly increased of late years by the beneficial uses to which sanitary statistics have in the hands of scientific physicians been applied in the discovery and elimination of the removable sources of disease, from which flows a great portion of the mortality in every large city, and by the prompt and successful measures for promoting the general health and physical well-being of all classes of the urban population. Their value was not overlooked in Bombay, and in 1849 a system of Monthly Registration was introduced, which has been working with marked success ever since. It has placed at the disposal of Government a mass of important and useful information

some of the deductions from which are sufficiently obvious to have already become the basis of endeavours at improvement in the sanitary and conservancy arrangements of the Island. But the essential condition by which these Returns, instead of a mere index of tendencies, might become a safe and unerring guide in tracing the progress of disease and the influence of remedial measures, has been wanting. The absence of an accurate Census of the population introduces an element of doubt and uncertainty into all the inferences from the Mortuary Returns, which deprives them of much of their value. Dr. Leith in a Memorandum dated 4th June 1862, embodying the general results of several years' experience, states—"Year after year has passed without the looked-for Census, and disappointment has been felt at the comparatively little practical good that has resulted from the elaborate tables; yet the accumulated facts have been far from useless, and they are yet available for abundantly more extensive application when trustworthy Population Returns are procured. From Bombay being insular, the actual number of deaths in it can be ascertained with great precision; and as regards also the number of deaths in different localities, and among different races, the Returns are worthy of reliance; by means of these, therefore, the two attempts that were made at an enumeration of the inhabitants were readily proved to be failures, and they will be useful as to check on any future Census."

Dr. Haines, who succeeded Dr. Leith in the Charge of the Mortuary Registry, dwells (in his Report for 1861) no less emphatically on the necessity for an accurate Census as the necessary and only safe foundation upon which the materials supplied by the Death Returns can be built up into a truly scientific structure. In paragraph 13 of the Report he urges as the only effectual means of carrying out this object the passing of an Act, "rendering it compulsory on every householder to give the requisite information, and authorising the infliction of a penalty for wilfully giving a false return."

The Bombay Association, which was consulted on the propositions for a Census, recognised both its desirableness and the necessity for a Legislative Enactment in order to make it effectual. They also approved generally of the method by which, in the accompanying Draft Bill, the objects sought are proposed to be attained. The Municipal Commissioners, as they have offered no remarks on the Draft Bill, which was forwarded for their opinion, and which was drawn up by their Chairman, may be presumed assent to its provisions.

Although the immediate object of the present Bill is to furnish Government with requisite legal powers for taking an accurate Census of the Presidency Town alone, yet it has been thought desirable to make its terms sufficiently general to include any Town or District, a Census of which may hereafter become necessary or desirable. In the progress of improvement accurate statistics become an essential element in the calculation upon which the Legislature and the Executive have to proceed in the performance of their gravest functions, while the gradual decrease amongst the Native population of ignorance, prejudice, and disaffords room for the hope that ere long a general Census may be obtained at recurring periods as accurate and applicable to as important uses as the decennial Census of the United Kingdom.

No difficulty therefore, it is apprehended, will be found in obtaining the assent of the Council to a Bill which at the least possible cost of trouble and inconvenience to the public, promises to confer early and important benefits upon the population of Bombay.

This Bill was passed by the Council of the Governor of Bombay, and has been submitted for the assent of the Governor General.

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